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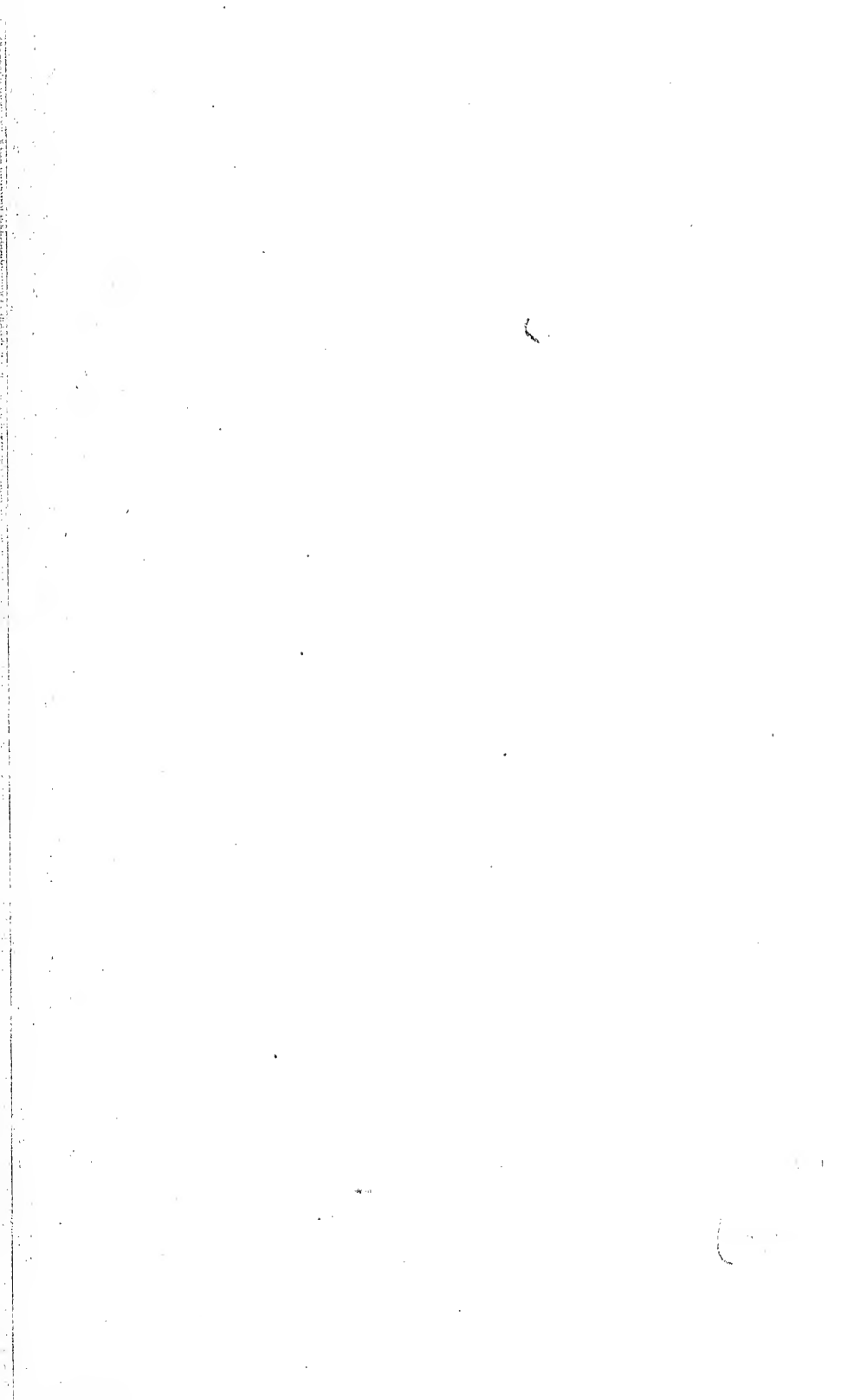
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1. United States - Soil - Soil in the State and
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THE
Confederate Records
OF THE
STATE OF GEORGIA

COMPILED AND PUBLISHED UNDER AUTHORITY
OF
THE LEGISLATURE

BY
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VOLUME I

Message of Governor Joseph E. Brown
on Federal Relations, November 7, 1860.
Resolutions of Various Counties.
Address of Thomas R. R. Cobb.
Address of Alexander H. Stephens.
Act Calling Convention.
Journal of Secession Convention.
Acts Relating to Public Defense.

Atlanta, Ga.
Chas. P. Byrd, State Printer.
1909.

INTRODUCTION.

This, the first volume of the Confederate Records of Georgia, contains the special message of Governor Joseph E. Brown on Federal Relations, transmitted to the General Assembly on the 7th of November, 1860; resolutions of the people of various counties on the same subject, sent to the Legislature; the address of Thomas R. R. Cobb, before the Legislature, in favor of the immediate secession of the State from the Union, and that of Alexander H. Stephens, before the same body, opposing it. Mr. Cobb, in righteous indignation, recounted, in burning words, the provocations which not only justified but demanded the immediate secession of the State, while Mr. Stephens, admitting the right of the State to annul the original compact and withdraw from the Union, and the sufficiency of the provocation to justify the adoption of such a course, looked more to the end than to the provoking causes, and foresaw with prophetic ken the woes which would follow Civil War, which he regarded as inevitable should the Union be destroyed. These two addresses, emanating from the brains of two of Georgia's most able and illustrious sons, are inserted that posterity may be fully informed as to the grounds on which both those who favored and those who opposed the immediate withdrawal of the State from the Federal Union based their actions. These are followed by the Act directing the Governor to call a Convention of the people; the proclamation of the Governor calling it; the journal of the Secession Convention, complete, including all resolutions and ordinances adopted by it, and

the acts of the Legislature of 1860, relating to public defense.

When the election of Abraham Lincoln, the Candidate of a purely sectional party, on a platform which an impartial British Historian* has characterized as a virtual declaration of war against the Southern States of the Union, was announced, astonishment and alarm spread all over the South like a contagion. Had he been elected by a National, and not a sectional, party, and in accordance with the spirit as well as the letter of the law, nine men out of every ten in Georgia would have cheerfully acquiesced in his election, notwithstanding his well known hostility to the South. But this was not true. Counting the electors provided for under the clumsy electoral system, he had secured a majority, but every Lincoln elector was from a State North of the Potomac and the Ohio. Counting the popular vote cast in the entire country, he had been defeated by nearly a million votes. Thus Mr. Lincoln had been elected according to the letter, but in utter violation of the spirit of the law.

At the formation of the Government slavery existed in every State in the Union. It was distinctly recognized in the Constitution, and the Supreme Court had decided that slaves were property, and that the owner of a slave had the right to go and carry with him his slave into any part of the United States, and that if his slave left him he had the right to pursue and apprehend him in any other State or Territory. Congress had enacted a fugitive slave law, under the provisions of which it was made the duty of all United States Marshals and other Federal

* Percy Greg.

officers to aid him in apprehending his fugitive slave and bringing him back. Every Act of Congress and every decision of the Supreme Court had sustained this right, and the Senate of the United States had, but a short time before, adopted a resolution that "all the States were sovereign and equal," and that as negro slaves were property, Congress had no right to interfere with this kind of property in the Territories, purchased with the common blood and the common treasure of all the States, but that each State, for itself, had the sole right to Legislate on the subject. When, therefore, Mr. Lincoln was elected President on such a platform, with the avowed purpose, in violation of the Acts of Congress and of the Constitution and the decisions of the Supreme Court, of preventing citizens of the South from going with their property into the Territories with equal protection to themselves and their property as that accorded to citizens of all the other States, the people of the South could but be alarmed at the situation.

In Georgia, the fourth State to ratify the Federal Constitution and enter the Union, there had always been a strong Union sentiment. South Carolina had, under the leadership of the great Calhoun, resorted to nullification, and New England had often threatened secession, but Georgia had always set her face sternly against both. Only eight years before the triumph at the polls of this sectional party she had, in a contest for Governor in which the question of secession played an important part, elected Howell Cobb, an ex-Speaker of the National House of Representatives, Governor over a distinguished ex-Governor, Charles J. McDonald, a secessionist, by the largest majority she had ever given any man for that exalted position within her entire history.

In 1820, when Missouri was admitted into the Union as a slave State, a compromise measure was adopted under the terms of which all territory North of thirty-six degrees and thirty minutes North latitude should be admitted into the Union as free States, and all South of that line should come in as either free or slave States as the people of the territory might determine when they applied for admission. This was an injustice to the South, because Congress by this Act assumed a right which had never belonged to it, to-wit, the right to legislate on a subject which belonged solely to the several States and virtually excluded the Southern people from all the territories North of thirty-six degrees and thirty minutes, which were the property of all the people, both North and South. It was, at the time, supposed that by this concession by the South the vexed question of slavery would be finally disposed of. But in 1850, when California was admitted into the Union with a Constitution prohibiting slavery, one-half of her territory being North and the other South of thirty-six degrees and thirty minutes, the Missouri compromise was abrogated and the status of the territories became the same as before its adoption. For the sake of peace and harmony the South again acquiesced in the measure. Four years later when Kansas and Nebraska were knocking for admission into the Union, many Southern men had gone and others were going into them, especially the former, the abolitionists organized and sent into them, from the free States, bands of armed men to drive the Southerners out and thus prevent the adoption of a Constitution recognizing slavery. A condition of Civil War resulted, and through this means anti-slavery Constitutions were adopted and both Territories were admitted as free

States. So violent had become the hostility to slavery and to the Southern slave owners that a dozen Northern States enacted "personal liberty laws" nullifying the fugitive slave law enacted by Congress and defying the decisions of the Supreme Court.

The agitation continued, and finally culminated in 1860, in the election of Lincoln. The Southern people had forborne with their fanatical enemies until forbearance had ceased to be a virtue.

They asked nothing not guaranteed to them by the Constitution, and had shown their attachment to the Union by sacrifices and concessions never appreciated by their adversaries. These adversaries in the meantime had succeeded in making a solid North, whose object was to deprive them of equality in the Union and rights guaranteed to them by the Constitution. So intense had become the hostility of the dominant party to the South and Southern rights and interests that every utterance of its press and of its leaders in the campaign of 1860, was a menace, a threat or an insult to the Southern people.

The party which had thus trampled upon the Constitution, nullified the Acts of Congress and defied the Supreme Court was not in fact a party of fixed and well defined principles, but a coalition of several parties or fragments of dead parties, each organized in its day to combat the principles of the party of Jefferson, and agreeing to nothing except hostility to them and to the Southern States, their stronghold. Neither of these factions was, within itself, strong enough to be dangerous, but united as they now were under the leadership of fanatical and unscrupulous partisans, every utterance of

whom was a threat, an insult or a denunciation of the South, they became a menace to the peace of the whole country and to the material interest of the Southern States.

One factor in this coalition was a small but militant fragment of the old Federalist party, aristocrats, who favored a "strong Government," and who had opposed the adoption of the Constitution on the ground that under it the powers of the general Government were too limited and those of the States too liberal. They had, from the beginning, through their great leader, John Marshall, Chief Justice of the Supreme Court, constantly amplified, by judicial construction, the powers of the Federal Government, and to the same extent restricted those of the States, nor had they ever, at any time, ceased to hate the doctrines of Jefferson and his Democratic cohorts who had driven them from power and out of existence as a political organization, and were ever ready to act with any party in which they might find an opportunity to punish those who had so signally defeated and humiliated them.

Another factor in the coalition was the old abolition and free-soil party. The birth of the abolition party was almost coeval with the establishment of the Union. It was at first numerically weak, but it had constantly grown in numbers and was aggressive, and the more dangerous because it was sincere in its fanatical desire to abolish negro slavery, and had shown that it scrupled at nothing to accomplish that result.

Another was the Northern wing of the old whig party which believed in a protective tariff and a National bank,

but which had "died of a dry rot" a few years before the formation of this coalition.

The last, and the most formidable factor in this coalition, was made up of the army of manufacturers in the Middle and Eastern States, and the shipbuilders and fishermen who had, for many decades, fattened on subsidies and bounties and protective tariffs at the expense of the people of all other sections. They were not scrupulous about party alignment, but were ready to coalesce with any party which would continue and increase the special privileges they had enjoyed. The new coalition promised all of this, and the other three factions eagerly joined it, or rather it eagerly absorbed them and acceded to all of their demands; centralization of power in the Federal Government, national banks, special privileges to the favored few and the abolition of negro slavery. Thus the coalition became all things to all men, North and East, and arrayed a solid North, bound together by sectional prejudice and "the cohesive power of public plunder," against a solid South, which asked nothing but equal rights in the Union.

There was but little in common between these factions. The Federalists and the protective tariff men cared but little about slavery. Indeed, many of them had been slave owners or were the sons of slave owners, for slavery existed in all of the States at the formation of the government, but in order to reinforce their own ranks and increase their power to perpetuate a system of taxes, subsidies and bounties, under which they had grown rich and powerful at the expense of the rest of the country, they adopted as their own the doctrines and demands of the abolitionists and bodily absorbed that party. Thus

the new party, which had stolen the name of the party of Jefferson and called itself the Republican party, became as thoroughly abolitionized as the old abolition party itself, and the coalition thus abolitionized soon constituted a majority of the people North of the Potomac and the Ohio. It is a singular fact, however, and as true as it is singular, that the Northern conscience never became quickened to a realization of the enormity of slavery until after the Northern slaveholders had converted their own slaves into gold and the gold had found a lodgment deep down in their pockets. This, then, was the party which had triumphed in the National election of 1860. In its ranks the controlling spirits were the men who had declared "a higher law" than the Constitution and denounced the Union as "a covenant with hell" and the Constitution as "a league with death," and who had derisively pointed to the flag of the Union as "a flaunting lie."

Alarmed at the triumph of this coalition, which denied to the Southern people equal rights in the Union and had heaped upon them insult upon insult, and whose avowed object was to humiliate them and destroy three thousand millions of dollars worth of their accumulated wealth invested in slaves, many of whom had been bought from the people of the States now waging war upon them, the Legislature of Georgia, then in session, in response to a universal demand of the people, as voiced in town and county meetings and through the press, passed a bill calling a convention of delegates from all the counties in the State to consider Federal relations and, if possible, avert the impending danger.

On the 16th of January, 1861, this convention met in

the capitol at Milledgeville. It was probably the most representative body that ever assembled in the State. The people sent up as delegates their wisest, purest and most conservative men, regardless of former political alignment. There came, from their respective counties, statesmen of ripest experience and unquestioned patriotism; men who in the cabinet and in both Houses of the National Congress had stood the peers of the greatest in the old Republic; profound jurists, who had always eschewed politics and devoted their lives to the study of the Constitution and the laws; ministers of religion, venerable Doctors of Divinity, who had grown gray in preaching the doctrine of peace on earth and good will to men; educated planters from the cotton plantations of Middle and South Georgia and the rice fields of the coast country, who, by reason of their affluence, had always had abundant leisure to study public questions, and who were, therefore, as well informed on these questions as their Representatives in the National Senate and House of Representatives; small farmers from the hills and valleys of North Georgia and the wire-grass plains of South Georgia, lineal descendants of the heroes of the first war for independence, who had never owned a slave in their lives, but lovers of liberty, independence and equal rights, and full of the fire that animated their Revolutionary ancestors when they threw off the British yoke; bankers, merchants, doctors, representatives of every class of people; all preferred Union under the Constitution as interpreted by the Supreme Court, but none so craven as to tamely submit to the domination of a party which had denounced the Constitution, reviled the Union and defied the highest judicial tribunal in the world, without some sort of guarantee that their honor would be respected

and their rights protected. They entered upon their duties by first invoking the guidance of the God of nations and of men in their efforts to so steer the ship of State as to avoid both Scylla and Charybdis, both disunion and dishonor. Such were the men and such the manner in which they met the fearful crisis that confronted them. No men could have been more desirous of a peaceful settlement of the differences between the sections than were the vast majority of this Convention. They proposed to molest no one; they only desired recognition of the rights guaranteed to them in the Constitution. There were three questions for the Convention to consider:

First, Has a State the right to withdraw from the Union?

Second, Do the prevailing conditions require resort to so extreme a measure?

Third, If these questions are determined in the affirmative, should Georgia exercise the right and secede at once, regardless of the action of any other State, or should she postpone action and wait for the co-operation of her sister Southern States?

On the first question there was but little, if any, difference of opinion. All were agreed that she had the right. Indeed, there is no evidence that any party, in any part of the Union, ever at any time during the first half century of our national existence doubted this right, and three States, Rhode Island, New York and North Carolina had expressly reserved it when they entered the Union, while a half dozen others, not expressly reserving it, had, by implication recognized it on entering the

Confederation. In New England, where the right to peaceably withdraw was now most stubbornly denied to the Southern States, leaders of public sentiment not only claimed, but often threatened on the hustings, on the floors of Congress and through the press, when questions affecting the interest of their section were under discussion, to resort to what they called the "unquestioned right of secession," and when the bill to admit Louisiana into the Union was under discussion in Congress, a distinguished son of Massachusetts* declared that if the bill should pass it was his "deliberate judgment that it would be virtually a dissolution of the Union and would free the States from their moral obligations, and as it would be the right of all, so it would be the duty of some, definitely to prepare for a separation, amicably if they can, violently if they must." Indeed, at that time, when the Republic was young and many of those who had taken a part in its establishment were still living, we hear of but few anywhere, either North or South, who denied this right to the States. It was only when the Southern States, hitherto the staunchest champions of the Union, alarmed at the repeated violations by some of their Northern confederates of the letter and the spirit of the Constitution and of the Acts of Congress, and their insolent disregard of the decisions of the Supreme Court, begun to discuss secession as a means of redress that the right was anywhere seriously denied.

In view of all these facts, there was, in the Georgia Convention, no division of opinion as to the right of the State to withdraw from the Federal Union.

* Josiah Quincy.

On the question as to whether the provocation and the danger that threatened the State was sufficient to justify secession unless guaranties for the safety and protection of the honor and interests of the Southern States were given by the incoming administration, there was equal unanimity. So long as their adversaries, the cornerstone of whose creed was hostility to the South and to Southern interests, constituted a small minority of the legislative branch of the Government, and were therefore powerless to do harm, the Southern people tolerated them without apprehension. But now that they had secured control of the executive office and about half the seats in both Houses of Congress, the danger was imminent, for how could an oath of office bind such men? The men who had now secured control at Washington were the same men who had denied to the people of the South equal rights in the Territories and had sent armed men into them to drive out such Southern men as had the temerity to go into them and carry their slaves; they were the same men who had trampled upon the Constitution and defied the highest judicial tribunal in the land, and who in a dozen States had enacted laws making it a crime for a Southern man to follow his fugitive slave across their borders, and who had closed the doors of their courts against him, and declare anyone who lent him aid or comfort a criminal; the same men who, through fanatical abolition societies, had sent emissaries in the guise of preachers and teachers and peddlers into the Southern plantations to incite servile insurrections, and who had not only encouraged and aided old John Brown, the Kansas jay-hawker, to invade Virginia with an armed force, seize the United States arsenal at Harper's Ferry, arm all the negroes who could be induced to

join his piratical standard, and murder unarmed and unoffending citizens, but who, when he was captured, tried by a court of law, convicted of treason and murder and hanged by a sheriff of the offended State, tolled church bells all day in many of their cities on the day on which he was executed, and canonized him as a martyr to a holy cause.

In view of these facts and the many other injustices and indignities heaped upon the people of Georgia and the people of all the other Southern States, there were no dissenters in the Convention from the conclusion that the danger was sufficiently imminent and the provocation sufficiently great to warrant a resort to any honorable means, even unconditional secession, to protect the interest and honor of the people of Georgia. The decision of the first two questions was practically unanimous, but there was no such unanimity in disposing of the third and last—should Georgia at once, and independently of the action of any other State, withdraw from the Federal Union, or should she wait for united action whereby all the threatened States could go out together? While all the delegates believed the provocation sufficient and that the State had unquestionably the right to withdraw, many were for “co-operation” with the other offended States, while many others thought delay dangerous and were therefore for immediate, unconditional secession. To test this question the Honorable Eugenius A. Nisbet, a venerable ex-justice of the Supreme Court and a delegate from the county of Bibb, offered a resolution that “Georgia has the right, and it is her duty to secede from the Union.” After a thorough and exhaustive discussion, earnest but void of acrimony and bitterness, in which Robert Toombs, the Mirabeau of the hour, and

Thomas R. R. Cobb, the Christian jurist, who had never sought an office, and who afterwards gave up his life on the bloody field of Fredericksburg for his convictions, led in favor of immediate secession, and Alexander H. Stephens, "the sage of Liberty Hall," Herschel V. Johnson, a distinguished ex-Senator of the United States, ex-Governor of the State and candidate for the Vice-Presidency on the Douglass ticket at the last election, and Benjamin H. Hill, the peerless orator, led the fight for co-operation, the vote was taken and resulted in one hundred and sixty-six votes for the resolution and one hundred and thirty against it.

Thus the die was cast, and the Georgia Convention declared in favor of immediate, unconditional, independent withdrawal from the Federal Union. Three days later an ordinance was adopted, by a vote almost unanimous, "to dissolve the Union between the State of Georgia and other States united with her under a compact of Government entitled 'the Constitution of the United States of America.' " This ordinance was engrossed on parchment and signed by all the delegates but six, and Georgia again became what George the Third, in 1783, acknowledged her to be, "a free, sovereign and independent State." The six members of the Convention who did not sign the ordinance entered on the journal the following quasi protests:

"While we most solemnly protest against the action of the majority in adopting an ordinance for the immediate and separate secession of this State, and would have preferred the policy of co-operation with our Southern sister States, yet, as good citizens, we yield to the will of a majority of her people as expressed by their rep-

representatives, and we pledge 'our lives, our fortunes, and our sacred honor,' to the defence of Georgia, if necessary, against hostile invasion from any source whatever.

MILLEDGEVILLE, GA. January 22d. 1861.

JAMES P. SIMMONS, of Gwinnett,
THOMAS M. McRAE, of Montgomery,
F. H. LATIMER, of Montgomery,
DAVIS WHELCHER, of Hall,
P. M. BYRD, of Hall.
JAMES SIMMONS, of Pickens."

The party which had in the Presidential election of 1860, through a triple division in the ranks of those who were in favor of the Union under the Constitution, gotten control of the government, flushed by victory, grew more and more bold, aggressive and defiant. The South was put on notice that she should not peaceably exercise what had been declared by some of the most eminent men at the North to be "the unquestioned right of secession." All efforts of the patriotic men in the "border States" at an amicable adjustment of differences was futile. Duly accredited representatives of the aggrieved States sent to Washington to seek a peaceful settlement of differences, were spurned from the White House; troops were called for to invade the South and coerce sovereign States, one of which, North Carolina, expressly reserved the right to withdraw from the Union when she entered it. One of the most sanguinary and destructive wars of two thousand years was the result, in which nearly three millions of Federal soldiers were arrayed against barely six hundred thousand Confederates, a disparity of five to one. Georgia sent to the field, to battle for rights guaranteed to her by the Constitution, a hundred thou-

sand men, one-third of whom perished in the conflict, and one-half of the remainder returned to their devastated homes wearing the scars of honorable battle; her territory was invaded; a Federal army marched through the State, from border to border, to the sea, leaving a black path of desolation and want behind it fifty miles wide and four hundred miles long, and at the end of the struggle the accumulated wealth of a century and a quarter had been reduced from a thousand millions of dollars to less than two hundred millions, and more than thirty thousand of the flower of her manhood filled soldiers' graves in Pennsylvania, Maryland, Virginia, Georgia, Tennessee, Kentucky and Mississippi.

Then followed, when the gallant old State was prostrate and bleeding at every pore, and every home was a house of mourning, the "reconstruction era" when the rapacious carpet-baggers and the unsavory scalawags swarmed in the commonwealth as did the locusts in Egypt of old, plundering its treasury and arraying race against race. But of them and their misdeeds in another volume.

(From State Archives.)

SPECIAL MESSAGE.

EXECUTIVE DEPARTMENT,

MILLEDGEVILLE, GA., November 7, 1860.

To the Senate and House of Representatives:

Since the adjournment of your last Session, I received from the Governor of South Carolina a copy of the resolutions passed by the Legislature of that State, at its late Session, on the subject of our Federal Relations. By reference to these resolutions, copies of which are herewith transmitted, it will be seen that, that gallant State, impatient under the wrongs which she, in common with her Southern sisters, has suffered in the Confederacy, and ready, as she ever has been, to defend her constitutional rights, invites all the slaveholding States to meet in convention, "to concert measures for united action."

I also transmit copies of the resolutions passed by the Legislature of Mississippi in reference to the resolutions of South Carolina; by which it will be seen that she accepts the invitation. It is understood that the Legislature of Alabama has also made provision for having that State represented in the convention; while Virginia, Tennessee, Kentucky, Texas, and probably other Southern States, have declined to accept the invitation.

In view of these facts, it is evident that the convention, should it meet, will be composed of delegates from

but few of the Southern States. I think but little good could be expected to result from its deliberations, unless the Southern States were generally represented. I do not, therefore, recommend the appointment of delegates to represent this State. In declining to recommend the appointment of such delegates, I do not wish to be understood as expressing a willingness to acquiesce in the repeated aggressions of the non-slaveholding States.

In my opinion, the constitutional rights of the people of Georgia, and of the other slaveholding States, have been violated by some of the non-slaveholding States to an extent which would justify them, in the judgment of all civilized nations, in adopting any measures against such offending States, which, in their judgment, may be necessary for the restoration and future protection of all their rights.

At the time of the formation of the Constitution of the United States, the rights of the slaveholder were recognized in all the States. No political demagogue in the Northern States had then been able to ride into power by denouncing the people and the institutions of the Southern States; nor had the Northern pulpit been desecrated by abolition harangues. Since the passage of the law of Congress inhibiting the traffic, most of the illegal importations of Slaves have been made by Northern men, in Northern ships. And it is a well-known fact that the people of the Northern States, before the traffic was inhibited by Congress, imported a large proportion of the slaves brought from Africa, and sold them to the people of the Southern States, and received their money for them, which, with its proceeds, was, no doubt, in-

vested in shipping, manufacturing, etc. This fact was fresh in the recollection of the Northern patriots who united with our fathers in forming the Constitution; and they did not hesitate to bind themselves and their posterity to respect our rights in slave property. I regret to say, however, that the conduct of many of their descendants has not been characterized by a like spirit of justice; since many, whose ancestors grew rich by the sale of slaves to the Southern people, are now ready to denounce the traffic by which the fortunes they enjoy were made, as immoral and inhuman, and the Southern people as little better than demons in human shape, because we continue to hold, as property, the offspring of the slaves purchased from their fathers. Numbers of them advocate the doctrine that our slaves should be set free among us, intermarry with our children, amalgamate with us, and be placed, in all respects, upon a basis of perfect equality with our free white population. For the purpose of promoting this object, and producing a general revolt of our slaves, a portion of their number, with fire and sword, have invaded Virginia, one of our Southern sister States, and slaughtered, in cold blood, some of her quiet, law-abiding citizens. It is true, these guilty criminals have suffered the penalty of the law upon the scaffold; but the justice of their punishment has been denied, and their names have been canonized by the abolition masses in the Northern States; and, even in the pulpit, they are frequently referred to as martyrs to the cause of liberty.

Should our citizens invade their territory, and burn down their factories built with money or the proceeds of money paid them by Virginia, Georgia, and Carolina planters for slaves, and butcher their citizens who hold

property acquired by the sale of slaves or by the use of the productions of slave labor, how differently they would view the question of criminality! But the invader who should slay the Northern citizen who holds his fortune acquired by the proceeds of slave labor and the sale of slaves, would be no more guilty than those who invaded a slave State and slaughtered her citizens because they held slaves; nor would his moral guilt be greater than that of the political leaders, who, by their doctrines and teachings, prompted and encouraged, the invasion of Virginia. While the abolitionists deny our right to hold the slaves we purchased from them, they do not permit any one to question their right to their property purchased with the money we paid them for slaves. They claim the right to hold their property thus acquired but deny our right to hold the slaves they sold us for it. They claim the right to carry the property which they received from us for slaves into the Territories, but deny our right to carry the slaves they gave us for it, into the same Territories.

This is not the spirit of the Northern patriots of 1776, with whom our fathers united in the Declaration of Independence; nor of those of 1787, with whom they entered into the compact of the Constitution. They were brave, noble, generous men; who required justice from all men, and were ready, in return, to render even-handed justice to all. At that time, Georgia and Massachusetts were alike sovereign and independent States. Each entered the family of States with her faith solemnly pledged to the other to perform all her Constitutional obligations, and to respect all the Constitutional rights of the other.

The Constitution of the United States is a compact in

the nature of a treaty, between the sovereign States of this Union; by which each State made concessions to the other, for the sake of the Union, and each bound her faith solemnly to the others, to do, or to permit Congress to do, certain acts which it was agreed would promote the interest of the others, and to omit to do certain other acts which might be to the injury of the others. Each delegated to the General Government, under the qualifications contained in the Constitution of the United States, the exercise of a portion of its sovereign powers, for the good of the whole. Georgia, when she entered the compact with Massachusetts, conceded important commercial and other rights; which concessions, under the operation of our tariff laws, navigation laws, and otherwise, have inured greatly to the benefit of Massachusetts. In return for these concessions, Massachusetts solemnly contracted and agreed with Georgia, that she would, on her part, (among other things,) "deliver up" to Georgia her fugitive slaves escaping and going into Massachusetts, on *claim* of the party to whom the service or labor may be due. No one pretends that Georgia and the other Southern States would have entered into the compact and formed the Union, had Massachusetts and the other Northern States refused to give this express guaranty.

Not only the plain language of the Constitution itself, but the contemporaneous debates, and the early construction put upon the Constitution, of which we have evidence in the fact that no law was passed by Congress on the subject for several years after the Union was formed, all show conclusively that the understanding between the States was, that Massachusetts and the other Northern States, pledged their faith to Georgia and the other Southern States, not simply that the Federal Gov-

ernment, by its officers, might arrest fugitive slaves found in their limits and deliver them up to their owners, but that the *people* of Massachusetts and of each Northern State, by their officers, would themselves "deliver them up," just as they bound themselves to "deliver up" fugitives from justice.

The only difference in the language used in the Constitution, as applicable to the two classes of fugitives, is, that the criminal, or *fugitive from justice*, is to be delivered up *on demand* of the *Executive authority* of the State from which he fled, while the slave, or fugitive from labor, is to be delivered up *on claim* of the *party* to whom such service or labor may be due. The two clauses will be found in Item two, of Article four, of the Constitution of the United States. The clause in reference to fugitives from justice, is in these words: "A person charged in any State with treason, felony, or other crime, who shall flee from justice, and be found in another State, shall, *on demand of the Executive authority* of the State from which he fled, *be delivered up*, to be removed to the State having jurisdiction of the crime." The clause relating to fugitive slaves, is as follows: "No person held to service or labor in one State, *under the laws thereof*, escaping into another, shall, in consequence of *any law or regulation therein*, be discharged from such service or labor, but shall *be delivered up on claim of the party* to whom such service or labor may be due." It may be here observed that the same language, "*shall be delivered up*," is used in both cases; and that the Constitution does not, in either case, say that it shall be done by authority of Congress. I do not say that Congress may not have concurrent jurisdiction in these cases, and that a law may not be passed by Congress providing for the

exercise of this power by the officers of the Federal Government in case a State refuses to do it, and thereby prove faithless to its constitutional obligations. As this may not be considered an open question, I do not propose to discuss it; but I do say that, under these provisions of the Constitution, the faith of each State is solemnly pledged to every other State in the Union, to exercise this power whenever a proper case may arise; and to *deliver up* the fugitives of either class found within her limits, *on the demand* or *claim* being made as provided by the Constitution, what State denies its obligation under the Constitution, to deliver up a criminal who is a fugitive from justice on *demand* of the *Executive authority* of the State from which he fled? I am aware that discussions sometimes arise about the legal form of the *demand*, and that a faithless Executive may, under some shallow pretext or legal technicality, refuse to do his duty; but what State, by legislative authority, has ever yet denied the obligation? and what State, not controlled by abolition counsels, having no regard for plighted faith, will, for a moment, deny its constitutional obligation to *deliver up* a slave who is a fugitive from service, on *claim* of the party to whom such service may be due?

But how have several of the States of this Union kept their solemn compact with Georgia? As I should be compelled to extend this message to too great a length, were I to attempt to point out the faithless legislation of Main, Vermont, New York, Michigan, and of other Northern States, upon this question, I will notice only the legislation of Massachusetts, as one of a class of States, which, under abolition rule, have shown themselves utterly regardless of their Constitutional obligations and their solemn pledges of public faith.

Massachusetts has not only failed to enact laws providing for the delivery of fugitive slaves to their owners, but she has, in flagrant violation of every principle of good faith, enacted laws throwing every obstacle in her power in the way of the rendition to their owners, by the officers of the Federal Government, of fugitive slaves found within her limits.

By a statute of that State, approved March 24, 1843, she commands the Judges and Justices of the Peace not to take cognizance of the Act of Congress, passed in 1793 for the delivery of fugitive slaves to their masters, and not to grant the certificates required in cases that may arise under the third section of that Act, to any person who claims any other person as a fugitive slave within her jurisdiction. This certificate, under the Act of Congress of 1793, is necessary to enable the owner to carry back his slave to the State or Territory from which he fled; and it is by that Act made the duty of the Judge or Justice to act in such case, and to grant the certificate upon proper proof being made. She also enacts that no Sheriff, Deputy Sheriff, Coroner, Constable, or Jailor, or other officer of the Commonwealth, shall arrest or detain or aid in the arrest or detention or imprisonment, in any jail or other building belonging to the State, or to any county, city, or town thereof, of any person for the reason that he is claimed as a fugitive slave. And as a penalty, it is enacted that, any Justice of the Peace, Sheriff, Deputy Sheriff, Coroner, Constable, or Jailor, who shall offend against the provisions of this law, by in any way *acting*, directly or indirectly, *under the power conferred by the third section of the Act of Congress aforementioned*, shall forfeit a sum not exceeding \$1,000, or be subject to imprisonment not exceeding one year in the

county jail. This statute not only prohibits all officers of Massachusetts from arresting or detaining a fugitive slave, and denies to a citizen of Georgia the aid of the officers of that State in capturing his fugitive slave found there, but denies to him the use of any jail or building belonging to that State, for the purpose of detaining his slave till he can carry him away; and also makes it highly penal in any officer who *acts* and gives the certificate directed by the Act of Congress as above stated. This law of Massachusetts effectually nullifies, in that State, the Act of Congress passed for the protection of the constitutional rights of the people of Georgia and the other Southern States.

In 1855, the Legislature of Massachusetts passed, over the Executive veto, another statute, extending the provisions of the Act of 1843, to the Act of Congress known as the Fugitive Slave Law, passed in 1850; and which was intended to nullify that Act. This Act also extends to the fugitive slave the benefit of the writ of *habeas corpus*; and, on his application, makes it the duty of the court before which the *habeas corpus* is returnable, to order a trial by jury; which is not allowed by said statute in any case except in case of a fugitive slave; and also gives the court the power to admit him to bail. On the trial, the jury may return a general verdict; and they are to have the same discretion that juries have in the trial of criminal cases. If the jury disagree, the issue may be submitted to another jury, or *continued to the next term*, at the *discretion* of the court. The claimant is required to state in writing, with precision and certainty, the facts upon which he relies; and neither the claimant of the fugitive, nor any one interested in the alleged obligation to service or labor, nor the fugitive

himself, shall be permitted to testify on the trial; and no *confessions, admissions, or declarations* of the fugitive, against himself, shall be given in evidence. Upon every question of fact involved in the issue, the burden of proof shall be on the claimant; and the facts necessary to be established, must be proved by the testimony of at least *two* credible witnesses, or other legal evidence equivalent thereto; and no *ex parte* deposition or affidavit shall be received in proof, *in behalf of the claimant*; (it might be in behalf of the negro); and no presumption shall arise in favor of the claimant, from any proof that the alleged *fugitive*, or any of his *ancestors*, had been actually held *as a slave*, without proof that such holding *was legal*. I presume this proof could hardly be made to the satisfaction of an abolition jury, who deny that slavery is in any case *legal*. A fine of not less than one, nor more than five thousand dollars, and imprisonment not less than one, nor more than five years, is imposed on any one who shall come into the Commonwealth, with intention of removing, or assisting in removing therefrom, any person in the peace thereof not held to service or labor, &c. Under the rules of evidence laid down by the statute, with the delays allowed in the *habeas corpus* court, no citizen of Georgia, before a Massachusetts jury, would ever be likely to be able to establish his claim to his slave; and, therefore, the penalty imposed by the statute is to be, and doubtless was intended to be, inflicted upon every owner of a fugitive slave who enters the limits of Massachusetts to claim his property.

The next section of the statute, in addition to this penalty, gives the negro the right of action for damages against the person who thus entered the Commonwealth for the purpose of removing him therefrom. After pro-

viding for the delays, and prescribing the rules of evidence above mentioned, as though the Legislature feared that some owner of a slave might be able to overcome all these obstacles, and establish, even under all these disadvantages, his right to his property, they proceed to enact, that any officer of the Commonwealth, or any officer of any city, county, town, or district, who shall arrest, imprison, detain, or *return*, or aid in arresting, imprisoning, detaining, or *returning*, any person for the reason that he is claimed or *adjudged* to be a fugitive from service or labor, shall be punished by fine, not less than one, nor more than two thousand dollars, and by imprisonment in the State Prison, not less than one, nor more than two years. And if the volunteer militia of the State assist the owner, even after the slave has been *adjudged* to be his property, they are subject, under the statute, to a like penalty.

If, therefore, a citizen of Georgia follows his fugitive slave to Massachusetts, and after a long, expensive, and vexatious litigation, obtains in the proper court a judgment establishing his claim to his property, and starts to *return* home with him, and a mob arrests him while attempting to *return*, and takes his property from him by force, and any civil or military officer of that State comes to his relief, and assists him against the mob to *return* to this State with his property, such officer, for this act, is subject to be fined from one to two thousand dollars, and to be imprisoned in the State Prison, (Penitentiary,) from one to two years.

It is further made the duty of the Governor, by and with the advice and consent of the Council, to appoint in every county in the Commonwealth, one or more

Commissioners, learned in the law, who are to be diligent and faithful in the defence of any person who is arrested or seized, or in danger of being arrested or seized, as a fugitive from service or labor, with power to employ other counsel for the defence; and the whole costs of the defence, including the attorney's fees, are to be paid out of the State Treasury. The statute then declares that no jail, or other place of confinement belonging to, or used by the Commonwealth, or any county therein, shall be used for the imprisonment of any one, who shall be accused or *convicted* of any offence created by either of the fugitive slave acts *passed by Congress*, or who may be accused or *convicted* of *resisting* any process, warrant or order issued under either of said acts, or of *rescuing*, or attempting to rescue, any person, arrested or detained under any of the provisions of either of said acts, or of any person arrested under execution for damages, for assisting a fugitive to escape from service or labor. Under this provision of the statute, if the leader of a mob resists a United States officer in the execution of a process issued under the authority of the Acts of Congress, for the arrest of a fugitive slave, and thereby enables the slave to escape, or rescues and takes him from the officer after he has been arrested, and this daring violator of the law is indicted in the United States Court, and convicted and sentenced to prison, for having in the manner above mentioned forcibly taken from a citizen of this State his property; or if the citizen of Georgia sues him for damages in the United States Court, and recovers judgment, and has him arrested under execution, Massachusetts, in either case, denies the use of her jails for his imprisonment.

It is finally enacted, that no part of this statute shall apply to so much of the Act of Congress as relates to fugitives from justice: showing that the State recognizes her constitutional obligation in the one case, and repudiates it in the other.

By these statutes, the State of Massachusetts, not only nullifies the Acts of Congress passed for the protection of the constitutional rights of the people of Georgia, but holds out every inducement in her power to her citizens to violate them, to resist their legal process, and to rescue and take from us our fugitive slaves, after an *adjudication* under the Acts of Congress that they are our property.

When South Carolina, in 1832, made provision for the nullification of certain laws of Congress known as the Tariff Laws, by the operation of which her citizens were being plundered by the Government, to enrich the manufacturers of Massachusetts and other Northern States, the whole Union was convulsed with excitement, and the use of Federal bayonets was threatened to coerce her into obedience, if she attempted to carry out, what were denounced as her treasonable designs.

When Massachusetts, in 1843 and 1855, in palpable violation of her duty under the Constitution, passed acts effectually nullifying the laws of Congress enacted for the protection of the rights of the citizens of the Slave States no outpouring of indignation went forth, and no cry of treason to the Government was heard from the Northern States. But if a Southern man proposed that Massachusetts be coerced into obedience, or that a Southern State pass retaliatory laws, he was denounced as a

disunionist, if not as a traitor. If nullification in South Carolina, for just cause, was treason against the Federal Government, what better is it in Massachusetts, without cause?

Probably the records of no State or nation in Christendom, are more blackened with the deep stain of disgrace, caused by a wilful violation of public faith, than this record of Massachusetts. If I use strong language, it is because I feel that the wrongs done our State require that I speak the truth without reservation. While the trade of Georgia is worth to Massachusetts, annually, hundreds of thousands, if not millions of dollars, under our tariff laws, navigation acts, and other advantages which Massachusetts derives from the Union, she retains upon her statute book these most extraordinary laws, for the purpose of robbing the citizens of Georgia of their property which may escape and be found within her limits. She is inviting our trade, to which many of her citizens look for their daily bread; but if our merchant goes there to trade, and carries with him his slave as a body servant, (which he has as much natural right to do as a citizen of Massachusetts has to carry his baggage with him when he travels through Georgia,) the laws of that State take from him his property, and refuse to permit him to bring it with him when he returns to his home.

Suppose a similar treaty or compact existed between France and Great Britain, and the Government and subjects of France should, in open violation of the compact, rob the subjects of the Government of Great Britain, as the Government and citizens of Massachusetts do the citizens of Georgia, would the Government of Great

Britain submit to it for a single month? No doubt, in such case, satisfaction would be promptly demanded of the Government of France; and in case of refusal, the Government of Great Britain would resort to immediate reprisals, or a prompt declaration of war. Should the freemen of Georgia be denied by her legislators the protection which the crowned heads of Europe never fail to afford to their subjects? If so, our Government is a failure, and our boasted freedom is but solemn mockery.

All writers on the subject of Government agree that the duties and obligations of the State or Government, and the citizens or subjects, are reciprocal. The State has the right to require from each citizen, prompt obedience to her laws; to command his services in the field of battle against her enemies, whenever, in her judgment, it may be necessary to her protection, or the vindication of her honor; and to tax him to any extent which her necessities may at any time require. These requisitions, Georgia, as a sovereign State, has made, and may continue to make, on all her citizens. In return for the sums paid as taxes, and the services which each citizen renders the State, including obedience to all her laws, he is entitled to demand and receive, from the State, full and ample protection of his life, his liberty, his family, his reputation, and his property of every description.

It is the duty of Georgia, therefore, whenever one of her citizens, no matter how humble, is robbed of his property, so wrongfully deprived of his liberty, by any other State, to demand prompt and ample redress; and, if it be denied, to make the cause of her citizen her own cause; and, need be, to exhaust her vast resources and her great energies in a determined effort to redress the

wrong. If, therefore, the State of Massachusetts, in open violation of her constitutional obligations to Georgia, plunders a citizen of Georgia of his property, and refuses to make redress, Georgia violates every principle of good faith to her own citizen, if she refuses either to compensate him from her own treasury, or to compel Massachusetts to compensate him. A sovereign State should either protect her citizens or cease to claim their allegiance, and their obedience to her laws. But it may be asked, how Georgia can compel Massachusetts to compensate citizens of Georgia who have been robbed of their property by Massachusetts legislation. The law of nations furnishes a ready reply. The most distinguished writers on that subject lay down the doctrine, that a State whose citizen or subjects have been unjustly and illegally deprived of their property by another State or nation, which refuses to make reparation, may lawfully make *reprisals* by seizing the property of the offending State or nation, or of its citizens or subjects, wherever to be found; and, if justice is still refused, by confiscating and delivering to the injured party a sufficient amount of the property so seized, to indemnify him against the loss; and such seizure is declared to be *no just cause of war*. The law of nations does not, in such case, confine the injured State to the seizure of the *public* property of the offending State, but authorizes the seizure of the property of any individual citizen or subject of the offending State. As between States, the law, in such case, considers all the property of every citizen or subject as the property of the State to which he belongs, and subjects it all, or any part of it, to seizure for such injury, done by the State, as justifies reprisal. If an injured State makes reprisal, and seizes the

property of a citizen or subject of the offending State, and delivers it to its own citizen or subject, in satisfaction for the injury done such citizen or subject, it is no violation of the right of private property; but the citizen or subject of the offending State, whose property has been seized, must look to his own State to compensate him for the loss which he has sustained on her account; and it is the duty of such State to make good the loss to its citizen or subject. It follows, therefore, in case a citizen of Georgia is deprived of his slave, or other property, by the unjust and unconstitutional legislation of Massachusetts, and Massachusetts refuses to make restitution on demand, that Georgia may, by the law of nations, justly seize an amount of the property belonging to that Commonwealth, or any one of her citizens, wherever to be found, sufficient fully to indemnify her citizen, and retain it till restitution is made by Massachusetts, or, confiscate and deliver it to the injured citizen, in satisfaction for the damage sustained by him. This is not only the law of nations, but it is the law of nature; and is in strict conformity to the plainest principles of natural justice.

Nor does that provision of the Constitution of the United States which declares that no State shall grant letters of *marque and reprisal*, interfere with the right of a State to redress her own wrongs, or those of her citizens, as against a sister State of the Union, by reprisal, where she has no other remedy. The law of nations recognizes a clear distinction between reprisals made by a sovereign State, and letters of *marque and reprisal* granted by a sovereign State to an individual, or individuals, authorizing them to redress their own

wrongs. The latter is prohibited by the Constitution, but it contains no inhibition against the former.

Georgia has it, therefore, in her power to compel Massachusetts or any other Northern State, to do justice to her citizens; and in this way to force her to repeal her obnoxious and offensive legislation on the subject of slavery, or to suffer the penalties due to her violation of good faith, and of that comity which should ever exist between all civilized States. I therefore earnestly recommend her representatives, by prompt legislation, to remove from her escutcheon every stain of inequality by which it is now tarnished. Let us meet unjust aggression and unconstitutional State legislation, with just retaliation. To this end, I recommend the enactment of a law authorizing the Governor of this State, in case any citizen of this State shall in future be deprived of his slave or other property, under the operation of the aggressive legislation of Massachusetts, to which I have referred, or of like legislation of any other State, or by the neglect of any such State to fulfill her constitutional obligations to Georgia, or her citizens, by delivering up to the owner, on demand, his slave which may have escaped into such State, to call out such military force as he may deem necessary for the purpose, and to seize such amount of the money or property of any citizen of such offending and faithless State, which may be found within the limits of this State, as may be amply sufficient to indemnify such citizen of this State who may have been robbed of his property by the failure of such faithless State to discharge its constitutional obligations; and forthwith to notify the Governor of such State of the seizure; and, in case the Governor of such State shall fail, within thirty days from the time he receives such

notice, to cause the property of our own citizen to be returned to him, or its full value paid to him, that it shall then be the duty of the Governor of this State to deliver such quantity of the property so seized, to the injured citizen of this State, as may be sufficient fully to indemnify him against all damages sustained by him.

Believing, furthermore, that our self-respect as a people should prompt us to withdraw from each of the Northern States of this Union, which, by its legislation, has refused to abide by its constitutional obligations to us, all the profits and advantages of our trade, I further recommend the enactment of such laws as will drive the manufactured articles of such States, as far as possible, from the markets of Georgia. If Georgia and all the other Southern States would, by proper legislation, carry out this policy, Massachusetts and each Northern State, which, by its legislation, has shown itself faithless to its obligations under the Constitution, would have to seek markets elsewhere; and if they should be compelled to send the products of their factories out of the Union for sale, they would be deprived of the vast profits they now obtain in the Union, on account of the advantages our tariff laws afford them, in our own markets, over all imported goods which pay tariff duties.

It may be denied that we have any constitutional right to pass laws in Georgia prohibiting the introduction of Massachusetts goods into Georgia. It is not necessary for my purpose that I controvert this proposition by showing that the constitutional obligations of Georgia to Massachusetts cease, whenever Massachusetts refuses to be bound by her constitutional obligations to Georgia; or, in other words, that Massachusetts ceases to be longer

entitled to the benefits of the Union, when she refuses longer to submit to its burdens. It is sufficient to say, that, without the violation of any provision of the Constitution of the United States, Georgia has complete control of this matter, in the constitutional exercise of her sovereign power of taxation. While Georgia has no right, as against any State of the Union which acknowledges and observes its constitutional obligations to her, to pass any law prohibiting the importation of its goods into her territory, she has the undoubted right, so soon as the goods of any State are commingled with, and become the property of her own citizens, to tax them as she, in her sovereign capacity, may deem proper. She also has the right to discriminate between different articles or kinds of property, as she may deem proper. This right she has exercised from the earliest period of her history. She has at all times, in the assessment of taxes, discriminated between different kinds of property, and taxed one kind higher than another; while she has always exempted some kinds of property entirely from the burdens of taxation. Prior to the Act of 1852, she taxed city and town property, and merchandise, higher than she did land and negroes,—while horses, cattle, hogs, household furniture, and many other articles, were not taxed at all.

Even now she taxes bank capital, foreign insurance companies, lotteries, &c., higher than she does other property; and no tax is imposed upon libraries, household furniture under the value of \$300, &c., &c. I apprehend, therefore, that no one will venture, at this time, to question her right to discriminate as she may deem proper, in the assessment of her taxes.

Whether she will discriminate between goods manufactured in other States, so as to give her friends an advantage over her enemies, is a mere question of policy. Feeling that she should do this, and believing that she has it in her power by the adoption of this course, in a great measure, to drive the goods of her enemies out of her territory, I earnestly recommend the enactment of such laws as will accomplish the object. To this end, I would suggest the passage of an act, to take effect on the first day of January next, but not to operate upon any goods, wares or merchandise purchased before that time, (so that our merchants may be forewarned of its existence before they incur any liability on account of its violation,) which shall require every tax payer in this State to swear, in addition to the oath now prescribed, whether he has, during the year for which he is giving in his taxes, been the vender of any goods, wares, or merchandise of any description. Should he answer this question in the affirmative, then to be further required to state on oath, *to the best of his knowledge and belief*, the aggregate value of all goods, wares, and merchandise, of any character, sold by him, during said period, which were manufactured in, or brought into this State from Massachusetts, Vermont, Michigan, Maine, Rhode Island, Connecticut, New York, and Wisconsin. (I believe these are the States which have most palpably violated the Constitution by their legislation and their action; though the legislation of some others is by no means justifiable, and may become the subject of future action, on our part;) and he should be required to pay, in addition to this tax on other property, a tax of twenty-five per cent. upon the amount of such goods, wares, and merchandise, so sold by him. The effect of this law

would be, to discriminate in favor of the manufactured articles of some other Northern States, whose legislation, though not by any means free from censure, is not altogether as offensive to us as that of the States above mentioned; and in favor also of goods manufactured abroad, and which were not imported through the faithless States above named. I think it best that we select for the present only such States as are most in the wrong, till we have shown all, the effect of this legislation; should others then refuse to repeal their offensive legislation, the statute can easily and justly be extended to them. Were such a law of force in Georgia, our merchants in the market, would refuse to purchase the goods upon which they would have to pay the extra tax; and in their stead, would buy such as are not subject to it.

If each Southern State will enact a law similar to the one above recommended, the effect will be, in a high degree, injurious to the manufacturing interests of the above named States. So soon as the manufacturers in those States, see that they are deprived of the benefit of the Southern trade, or that they cannot enjoy it on equal terms with their neighbors in other Northern States, their interest will dictate to them the propriety of uniting, and requiring their operatives and those under their control, to unite, at the ballot box, with the large class of law-abiding, conservative, constitutional men, in their respective States, who have ever been ready to do us justice, and abide, in good faith, by all their constitutional obligations. The accumulation of strength which the constitutional men in those States would in this way gain, it is believed, would place them in the majority; and enable them to hurl from place and power,

the abolition leaders who have so long controlled, and by their counsels, disgraced their respective States.

In the enactment of such a law, the power should be given to the Governor of this State, to suspend, by proclamation, the operation of the act, as against any one of said States, whenever he may be officially informed, that such State has repealed its unconstitutional and offensive legislation, and has returned to the observance of its constitutional obligations; or to embrace in the disability, by proclamation, any other State enacting similar laws.

It may be said that this tax law, if passed, would be frequently evaded, and that goods made in Massachusetts, would often be labelled, and pass in the market, as goods made in New Jersey. This would doubtless be so in some cases; as the manufacturer, who would vote for a law, to fasten upon his State, the shame of a violation of her plighted faith, would be guilty of any other act of bad faith; but it would not be possible for the manufacturers in those States, to make the fraud a general one; as it would be the interest of the manufacturers, and importers of New Jersey, and such other States as might have the advantage in Southern trade, under the law, to expose, as much as possible, the frauds attempted to be practiced by the manufacturer or importer of Massachusetts, or those of other States discriminated against. It would therefore seldom be a difficult task, for the Georgia merchant, to form a correct conclusion as to the character of the goods purchased by him; and as the law would require him to swear *to the best of his knowledge and belief*, he would not likely be wanting in vigilance; but would require such evidence,

in making his purchases, as would satisfy his mind, that the goods purchased, were not subject to the tax. The fact that the law might sometimes be evaded, is no sufficient reason why it should not be enacted. How often are the revenue laws of the United States, and of other governments, violated or evaded; and yet what civilized nation for that reason would do without them. Even the laws against murder, and all the other felonies known to our penal code, are often evaded; but who would say that they should not, on that account, have been enacted. They are often executed; and they stand upon our statute book as a terror to evil doers. So would a law of the character proposed be in a great degree effective; and would place the merchandise of those States under the ban of Southern proscription, and compel them to resort to fraudulent contrivances, before they could introduce it among us. This would vindicate our honor, and punish their perfidy. It would compel them, as long as they remained faithless to the compact, to lose our trade, or pay a large portion of our taxes; as the merchant having to pay twenty-five per cent. tax upon Massachusetts or New York goods, would not buy them unless he could purchase them twenty-five per cent. cheaper than he could get the goods of some other States not subject to the tax.

Thus far, I have recommended the mildest measures, which in my judgment will redress our wrongs, and cause the repeal of the offensive and unjust legislation above referred to.

Should the enactments herein suggested be deemed insufficient to the accomplishment of the object, I would then recommend, as an additional remedy, that the penal

code, and all other laws of this State which protect the lives, liberties and property of the citizens of other States while in this State, be repealed, so far as they now protect the citizens of each Free State in this Union, which has upon its statute book, any act or acts of the character, and intended to accomplish the object, of the Massachusetts legislation to which I have directed your attention; and that the citizens of Massachusetts, and of each Free State in this Union, guilty of like bad faith to the people of Georgia, be declared *without the protection* of the laws of this State, until the States to which they respectively belong, shall have repealed their unconstitutional and obnoxious legislation, and returned to the observance of their constitutional pledges. In resorting to this severe though just measure of retaliation, we should act only on the defensive. It would therefore be necessary to make it the duty of the Governor of this State to suspend, by proclamation, the repealing act above recommended, and to restore the citizens of each offending State to the protection of the laws of this State, so soon as he shall be officially informed by the Governor of such State, that the laws of such State, of the character above mentioned, which now rob the citizens of this State of their property, or imprison them for attempting to reclaim it, have been repealed by such offending State. This would be a measure of defensive retaliation, and not of aggression, on the part of Georgia.

In addition to the influence which this enactment would have in causing the repeal of those unconstitutional and offensive laws, it would have the further effect of ridding our State, in the meantime, in a summary way, of such abolition emissaries as are now passing among

our people; who, under the pretence of book selling, peddling, lecturing, preaching, &c., are scattering inflammatory documents among us, and attempting to incite our slaves to revolt, and to murder our women and children; and are applying, under cover of the darkness of night, the incendiary's torch to our gin houses, dwelling houses, villages, and towns.

No one can deny the power of our State to enact such penal code, and to make such exceptions thereto, as in the judgment of her people may be necessary to their safety and protection; or to repeal her present penal code, or any part thereof, when such repeal may be necessary to the prosperity of her own citizens, or to a just retaliation upon her enemies. Nor can any other government or power on earth, compel her to punish any act as a crime, which she does not choose to consider as a crime against her peace and dignity as a sovereign State. If, therefore, she should refuse to declare criminal, or to permit her courts to punish as a crime, any injury done to a citizen of Massachusetts, till she shall have repealed her laws passed for the purpose of robbing the people of Georgia of their property, which she has pledged her faith to deliver to them on demand, neither the Federal Government, nor any State government, has a right to interfere, or to dictate to her what shall be the provisions of her penal code. While Georgia is a sovereign State, she will dictate her own penal laws, and determine for herself what she will punish as a crime against her peace and dignity, and what she will omit to punish.

It may be objected, that such an enactment would deny to the citizens of Massachusetts, or other States

whose citizens may be deprived of the protection of our laws, the enjoyment of "all privileges and immunities of citizens of the several States." Should this be the case, the fault would not be ours. We were not the aggressors. The laws of those States were first enacted, and were intended to deprive our citizens, not only of those "privileges and immunities" under the Constitution, but of their rights of property, and of their liberties as freemen. Massachusetts, as above shown, even denies the use of her prisons for the punishment of him who is *convicted* of having forcibly taken from a citizen of Georgia his property, in open violation of the Constitution of the United States and the laws of Congress. Who then will deny our right, to remove from our statute book such laws as protect her citizens, till she repeals her statutes enacted for the purpose of denying the protection of her laws to us? When she repeals her unconstitutional and unfriendly laws against us, we should again extend to her citizens the protection of our laws. Until she does this, we should retaliate upon the robber, by refusing to protect him while he is plundering us, or to punish those who slay him while he is applying the torch to our dwellings.

In my opinion, the time for bold, decided action has arrived; and he is unworthy the confidence of the people of Georgia, who will refuse to vindicate her honor, at any cost, and to maintain her constitutional rights, at every hazard.

It is believed the legislation above recommended, would tend to strengthen, rather than weaken, the ties of union between the States generally; as it would do much to destroy the sectional character of the contro-

versy, now pending between the free and the slave States; and to narrow the issue to a contest between individual States, and not between whole sections of the Union. The acknowledgement of the fact that one State has the power to protect herself, against the unconstitutional and aggressive legislation of another, without the aid of the other sister States, and without disturbing her relations with them, not only destroys geographical lines of division, drawn across the Union, and localizes the controversy between individual States, but makes each State pay a more just regard to the rights of every other State, in view of the fact, that she cannot look for protection in the wrong, from her other sister States of her own section of the Union, whose sense of justice as well as interest under the proposed legislation, would prompt them to a condemnation of her bad faith, and her unconstitutional enactments. I am no disunionist *per se*; and would delight to contemplate our future glory as a nation, could I have the assurance that the Union, upon the basis of the Constitution, would be as durable as the hills and valleys embraced within the vast territorial limits of its jurisdiction. This cannot be the case, however, unless each section of the Union accords to every other section, the full measure of its constitutional rights.

I earnestly invoke the attention of the people of Georgia to this subject; and trust the General Assembly may take prompt action for the protection of their rights, and the vindication of their honor. In my opinion the times demand the legislation which I now recommend; and the people, should it be denied them, will, and ought to rise in their might, and at the ballot-box demand its enactment. Should these retaliatory laws be enacted while I have the honor to be the Executive of Georgia,

I shall be prompt and decided in their enforcement. The present is a most appropriate time for this legislation. The Black Republican party, organized upon a sectional issue, and standing upon a platform of avowed hostility to our constitutional rights, have probably triumphed over us, by the election of their candidates for the Presidency and Vice-Presidency. Should such be the case, this dominant party in the Northern section of the Union, among whose fanaticism rules the hour, and mob law too often maintains its ascendancy, will consider themselves as victors, and the people of the South as vanquished. In that event, the adoption of other safeguards, may become necessary to the maintenance of the rights and honor of the slave-holding States; as degradation, insult and injury, will probably be the only reward, which Georgia and the other slave States, can then expect to receive, for continued association with them in the Union, and subjection to their foul domination.

So soon as the Government shall have passed into Black Republican hands, a portion of our citizens, must if possible, be bribed into treachery to their own section, by the allurements of office; or a hungry swarm of abolition emissaries must be imported among us as office-holders, to eat out our substance, insult us with their arrogance, corrupt our slaves, and engender discontent among them; while they flood the country with inflammatory abolition documents, and do all in their power, to create in the South, a state of things which must ultimately terminate in a war of extermination between the white and the black races.

Whether eight millions of freemen in the Southern States will consent to permit this state of things to exist

among them, and will bow the neck in willing subjection to the yoke, is a question to be determined by them in their sovereign capacity.

Whether the sovereign will of the people of the Southern States, shall, in this crisis, be ascertained by a general Convention of all the States, hereafter to be called, and all shall act together in concert, or whether each State shall decide for herself, without conference with the others, are questions upon which a diversity of opinion may exist.

I entertain no doubt of the right of each State, to decide and act for herself. The Union is a compact between the sovereign States of which it is composed. Each State in the Union is in point of sovereignty the equal of every other; and neither is dependent upon another for any of the attributes of sovereignty. So long as all the States abide in good faith by their Constitutional engagements to each other, and the compact is not violated, no State can withdraw from the Union without being guilty of bad faith to the others. If, however, the compact is violated by the refusal of part of the contracting parties to abide by it, and submit to its burdens, while they receive the benefits arising from it, the other parties are no longer bound by it, but may declare it a nullity, and refuse to abide by it on their part. It is an essential part of the law of contracts, that both parties are bound, or neither is bound, and if one violates the contract, the other is no longer bound.

But I may be asked who is to judge of the violation of the contract? I answer that each sovereign State, from the very nature of the case, must judge and decide

for herself. There is no common arbiter between them. Each being sovereign, acknowledges no higher power on earth. The Federal Government is but the limited agent of all the States, and has no right to assume to dictate to the principals, from which it derives all the power it possesses, nor to sit in judgment upon the conduct of the creator, whose creature it is, and by whose consent alone, it exists for a single day. It is not to be presumed that a State will secede from the Union without just cause. Of the sufficiency of the cause each sovereign State must judge for herself. When her decision is made, no one has a right to reverse the judgment, because no higher power exists to which an appeal can be taken. The right of a State peaceably to secede from the Union, when, in the judgment of her people, the compacts of the Constitution have been violated, can only be denied by those who deny the sovereignty of the States.

I am aware that some have attempted to analogise the right of a portion of the States of the Union to secede from it, even for just cause, to the right of the Colonies to secede from the British Government; and as the Colonies possessed only the right of revolution, it is argued that the sovereign States of the Union possess no other right. There is no just analogy between the two cases. The Colonies, prior to the Revolution, were not sovereign. They were subjects of the British Government, created by it, and belonged to it. They had never even claimed to be the equals of the British Crown, nor had that Government ever recognized them as such, or formed any compact with them as sovereign powers. When, therefore, they withdrew from the Government of Great Britain, it was a case of rebellion on the part of the subject, against the power of the sovereign—in

other words, it was revolution— and upon their success depended their exemption from the penalties of treason, to the Government whose subjects (not equals) they were, till they had established their right of sovereignty by force of arms. But the States of the Union are not the subjects of the Federal Government, were not created by it, and do not belong to it. They created it; from them it derives its powers, to them it is responsible, and when it abuses the trust reposed in it, they as equal sovereigns, have a right to resume the powers respectively delegated to it by them. Upon my mind there is no doubt, that Georgia or any other State in the Union, has a perfect right, to secede from it, whenever the people in their sovereign capacity, decide for themselves, that the compact has been violated by the other States. And neither the Federal nor a State Government, has any more right to make war upon her, for the exercise of this act of sovereignty, than they have to make war upon her for the exercise of any other one of her sovereign powers. Should Georgia determine, while I exercise the Executive power, to secede from the Union, on account of the violation of the compact by other States, I should deny the right of any other State or Government to coerce her to return to it. In such case the allegiance of her citizens would be due to her alone, and each would be entitled to the protection of her flag. *This they should have.* And if any other government should interfere, and assume jurisdiction over them, and take the lives of any of them upon a charge of treason to its authority, for following the flag of Georgia, I would retaliate promptly, by seizing and hanging upon the nearest tree, two of the subjects of such Government for each citizen of Georgia whose life should be thus illegally taken. I

need only add that I regard the question of separate State action, or of united action upon the part of all the Southern States, as a mere question of policy, and not as a question of right. As the cause of the Southern States is a common cause, and as the aggressions upon their rights are common, I should think it wise that their action be common.

If the fifteen Southern States of the Union should meet in Convention, and determine to secede from it, there would be no war, no bloodshed. So many of the Northern people are dependent upon our Cotton, and our Trade, for employment; and for the necessities, as well as the luxuries of life, that they could neither afford to fight us, nor to stand by and see others do it. Nor could the Government of Great Britain afford to witness an invasion of the Southern States. We are planters, a large portion of the people of England are manufacturers. We come in competition with none of their interests. Our interests and theirs are mutual and reciprocal. The people of the Northern States are the rivals of the people of England in manufacturing and shipping. Both are dependent upon us for Cotton. Four millions of the people of Great Britain look for the means of their support, to the Cotton crop of the Southern States of this Union. An invasion of our soil, which would cut off a single crop of Cotton, would shake the pillars of the English throne, and the cry of "bread or blood" would at once control the action of the Government, the Army, and the Navy of Great Britain in our favor.

I am aware that the opinion is entertained by many, that the Southern States, in the event of a dissolution of the Union, would be in a worse condition than they now

are, in reference to the recapture of their fugitive slaves; as it is said large numbers would escape, and we would have no process by which we could recover them from any portion of the Northern Confederacy. This is a great error. In case of a separation of the two sections, and the formation of new governments, the people of the Northern Confederacy would no longer feel that they were connected with slavery in the South, any more than they now are in Cuba or Brazil. Most of the Northern States have already enacted stringent laws, against the importation of free negroes among them. They would not desire such a population in their midst, and would be willing to spend money to rid themselves of it. They would need our Cotton, as they now do, and would find our trade still indispensable to their prosperity. We should then have the power to regulate our own revenue laws, tariffs, etc., and to discriminate against them, and in favor of European States, if we choose to do so, by imposing export duties on Cotton purchased by them, and import duties on manufactured articles sold by them to our people. This they could not endure and prosper. The result would be that they would, if required, enter into a treaty with us to bring back our fugitive slaves, and deliver them to us at the line, if we would agree to a favorable Commercial treaty with them, by which they could buy our Cotton and sell us their goods upon equal terms with other nations. A similar treaty, for the like reason, could be made with the English Government, by which Canada would no longer be the harbour of fugitive slaves.

The sentiment, no doubt, prevails in the Northern States, that the people of the South would be in great danger from their slaves, in case we should attempt to

separate from the Northern States, and to form an independent Government. Insurrection and revolt are already attempted to be held in terror over us. I do not pretend to deny that Northern spies among us, might be able occasionally, to incite small numbers of slaves in different localities to revolt, and murder families of innocent women and children; which would oblige us promptly to execute the slaves who should have departed from the path of duty, under the deceptive influence of abolition incendiaries. These instances would, however, be rare. Our slaves are usually under the eye of their masters or overseers. Few of them can read or write. They are not permitted to travel on our Railroads, or other public conveyances, without the consent of those having the control of them. They have no mail facilities, except such as their owners allow them to have, and no means of communication with each other at a distance. They are entirely unarmed, and unskilled in the use of arms. A general revolt would therefore be impossible. But the more important fact, which is well known in Southern society is, that nine-tenths of them are truly and devotedly attached to their masters and mistresses, and would shed in their defence, the last drop of their blood. They feel and recognize their inferiority as a race, and their dependence upon their owners for their protection and support, whose smile of approbation constitutes their highest enjoyment. They have not been accustomed to claim or exercise political rights, and few of them have any ambition beyond their present comfort and enjoyment. In case of a plot or conspiracy, the secret could be communicated to but few, till some would learn it, who would immediately communicate it to their masters, and put them upon their guard. This would lead to an

immediate seizure and execution of a few of their leaders. We have therefore but little cause of apprehension from a rebellion of our slaves.

Let us for a moment contrast our difficulties with *our laborers*, in case of division, with the difficulties which the Northern people would have with *their laborers*.

Many of the Northern masters, or employers, if they prefer the term, are now in possession of large fortunes, which they have accumulated by the use of the strong arms of white laborers among them, who have labored and toiled and dropped the briny sweat, for weeks, and months, and years, in their service, and have received from them in return a meagre compensation, which in health, has barely enabled them to support themselves, in a simple style, denying to their families most of the comforts of life; and in sickness has often left them in destitution, and actual want of the necessaries of life.

While those who receive the benefits of the labor of others, are living in stately mansions, amid ease and luxury, and faring sumptuously every day, many of the laborers whose toil brought these comforts, must spend their days in unpleasant dwellings, doomed to perpetual obscurity, and denied even in sickness, the comforts of life, produced by their own hard labor.

But who are these honest, sturdy laborers, who are kept in a position of inferiority, to those who assume control over them? They are *white men*. They belong to no inferior race. They are the sons of freemen, and they have a right to be free. Many of them are descended from revolutionary sires, who shed their blood to secure

liberty to their posterity. These men have political rights inherited from their ancestors, which are inalienable. They have the right to bear arms, and thousands of them know how to use them. They can read and write and correspond with each other about the wrongs inflicted upon them.

Should a separation take place, and the Northern States take up arms against the people of the South, and attempt to incite our slaves to insurrection, thousands of these Northern *white* laborers, who have suffered so much injustice at the hands of those, who have wrung from them the hard earnings of the sweat of their brows, might feel at liberty to require satisfaction for past injustice, and to assert the principle recognized in the South, that the true aristocracy is not an aristocracy of wealth, but of *color* and of *conduct*. While their sense of justice might prompt them to assist the South against the aggressions of those in the North, who have denied equality to them, as well as to the people of the South.

Among us the poor white laborer is respected as an equal. His family is treated with kindness, consideration and respect. He does not belong to the menial class. The negro is in no sense of the term equal. He feels and knows this. He belongs to the only true aristocracy, the race of *white men*. He blacks no masters' boots, and bows the knee to no one save God alone. He receives higher wages for his labor, than does the laborer of any other portion of the world, and he raises up his children, with the knowledge, that they belong to no inferior cast; but that the highest members of the society in which he lives, will, if their conduct is good, respect and treat them as equals.

These men know, that in the event of the abolition of slavery, they would be greater sufferers than the rich, who would be able to protect themselves. They will, therefore, never permit the slaves of the South to be set free among them, come in competition with their labor, associate with them and their children as equals—be allowed to testify in our Courts against them—sit on juries with them, march to the ballot box by their sides, and participate in the choice of their rulers—claim social equality with them—and ask the hands of their children in marriage. That the ultimate design of the Black Republican party, is, to bring about this state of things, in the Southern States, and that its triumphs, if submitted to by us, will at no very distant period, lead to the consummation of these results, is, I think, quite evident, to the mind of every cool, dispassionate thinker, who has examined this question, in the light of all the surrounding circumstances.

If the madness and folly of the people of the Northern States shall drive us of the South to a separation from them, we have within ourselves, all the elements of wealth, power, and national greatness, to an extent possessed probably by no other people on the face of the earth. With a vast and fertile territory, possessed of every natural advantage, bestowed by a kind Providence upon the most favored land, and with almost monopoly of the cotton culture of the world, if we were true to ourselves, our power would be invincible, and our prosperity unbounded.

If it is ascertained that the Black Republicans have triumphed over us, I recommend the call of a Convention of the people of the State at an early day; and I will cordially unite with the General Assembly in any action,

which, in their judgment, may be necessary to the protection of the rights and the preservation of the liberties of the people of Georgia, against the future aggressions of an enemy, which, when flushed with victory, will be insolent in the hour of triumph.

For the purpose of putting this State in a defensive condition as fast as possible, and prepare for an emergency, which must be met sooner or later, I recommend that the sum of one million of dollars be immediately appropriated, as a military fund for the ensuing year; and that prompt provision be made for raising such portion of the money as may not be in the Treasury, as fast as the public necessities may require its expenditure. “Millions for defence, but not a cent for tribute,” should be the future motto of the Southern States.

To every demand for further concessions, or compromise of our rights, we should reply, “The argument is exhausted,” and we now “stand by our arms.”

JOSEPH E. BROWN

(From State Archives.)

RESOLUTIONS ON FEDERAL RELATIONS,
ADOPTED BY THE PEOPLE IN THE VARIOUS
COUNTIES OF THIS STATE, AND
PRESENTED BY THEIR REPRESENTATIVES.

In accordance with a resolution of the House of Representatives agreed to on the 20th day of November, 1860, the following record is made in this the Journal of today, of all resolutions and minutes of popular assemblies, touching Federal Relations, held in the various counties of this State, and presented by Members, and read in the House during the session, to-wit:

Resolutions from the county of Banks, presented by Mr. Allen:

Wehreas, A crisis in our national affairs has arrived, which demands that the people of the Southern States should meet in primary assemblies, and coolly and deliberately determine on the best method of averting the evil that threatens the rights of the Southern States. Evils engendered by a reckless spirit of fanaticism unparalleled in the history of nations. Prompted by which our Northern brethren have manifested a total disregard, not only of law and order, but of that solemn compact entered into by our patriotic ancestors at the formation of our Federal Government.

Urged on by this reckless spirit of fanaticism, they have by State legislation, made void and inoperative within their borders, the Constitution of the United States, and set at defiance the decisions of the highest Judicial Tribunal known to our Government, by passing State laws to prevent the recovery of our fugitive slaves. Professing to be governed by a higher law than the Constitution, and purer morality than the teachings of the Bible they have disrupted the unity of the church and declared Southern Ministers unworthy to hold ecclesiastical office. They have declared against the institutions of the South an irrepressible conflict, and made a military descent upon a sovereign State of this Union, for the avowed purpose of wresting from Southern citizens their property, by force, thereby not only endangering the lives of law-abiding citizens, but periling the lives of helpless women and children.

They assert the right to appropriate exclusively to their own use, the common territory of the United States, and have rejected the admission of a sovereign State into this Union, because her Constitution recognizes the right to hold slaves therein. They have attempted to subvert the Government of the sovereign State of Texas, by sending into her midst their emissaries, hypocritically clothed with the garb of religion, to excite her slaves to insurrection, to burn and plunder the dwellings of their owners, and to massacre their defenceless families. And as if to complete the degradation of these Southern States, they have elected to rule over us a President, avowing all these pernicious doctrines, by a purely sectional vote, whose avowed purpose in all his public speeches is first to exclude slavery from the Territories, and then to make war upon it in the States.

Under all these wrongs we have appealed to our Northern brethren in fraternal feeling, to desist from aggression upon our Constitutional rights. But our frequent appeals have been answered only by additional insults and wrongs, thereby alienating one section of the United States from the other, and dissevering the ties of our social compact.

Wherefore be it resolved. 1st. That there can be no union of Government without a union of sentiment. That the Northern States have frequently violated both the letter and spirit of our social compact, upon which the union of these is based, it is our opinion, deliberately formed; that without a speedy reform in the policy of our Government the sovereign State of Georgia can not remain longer in the Union, with honor to herself or safety to her citizens. That in our judgment resistance before the fourth day of March next, is the only possible remedy, and to attempt to remain in the Union under a Black Republican administration, is Civil War.

2d. *Resolved,* That the thanks and gratitude of the Southern States, are due to our conservative non-slaveholding States, for the noble manner in which they have battled for the Constitutional rights of the South.

3d. *Resolved,* That we heartily approve of the action of the Legislature of Georgia, in appropriating one million of dollars, for the defence of the State, and of calling a Convention of the people of the State, to determine the mode and measure of redress to be adopted by the State in the present emergencies, and that as true and loyal citizens of the State of Georgia, we will abide the decision of that Convention.

4th. *Resolved*, That the proceedings of this meeting be published in the Athens papers, and Air Line Eagle, and that manuscript copies of these resolutions be sent to our members of the General Assembly.

Resolutions from the county of Chatham, presented by Mr. Hartridge:

We, the citizens of Chatham county, ignoring all past party names and issues, cordially unite in the following resolutions:

Resolved, That the election of Abraham Lincoln and Hannibal Hamlin, to the Presidency and Vice-Presidency of the United States, ought not to be, and will not be submitted to.

2. *Resolved*, That we request the Legislature to announce this opinion by resolution at the earliest practicable moment, to communicate it to our Senators and Representatives in Congress, and to co-operate with the Governor in calling a Convention of the people to determine on the mode and measure of redress.

3. *Resolved*, That we respectfully recommend to the Legislature to take into their immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interest of the State consequent upon the present political emergency.

4. *Resolved*, That we respectfully suggest to the Legislature to take immediate steps to arm and organize the forces of the State.

5. *Resolved*, That copies of the foregoing resolutions be sent without delay to our Senator and Representatives in the State, who are hereby requested to lay them before the House of which they are respectively members.

Resolutions from the county of Screven presented by Mr. Prescott:

We the citizens of Screven county, ignoring all party names and all issues which have heretofore divided us, do unanimously unite in the following resolutions:

Resolved, 1st. That the election of Abraham Lincoln and Hannibal Hamlin, to the Presidency and Vice-Presidency of the United States *will not* be submitted to.

Resolved, 2d. That we cordially endorse the action of the Legislature in calling a Convention, whose duty it will be to declare the State of Georgia out of the Federal Union, to assume again, and forever, those rights of sovereignty which have been delegated to the General Government.

Resolved, 3d. That our members of the Legislature from this county, be instructed to vote for all measures tending to the secession of this State from the Union, and for any tax measures for the complete arming and equipping the military forces of the State.

Resolved, 4th. That a copy of these resolutions be sent to our Senator and Representatives in the General Assembly, and the Savannah News for publication.

Resolutions from the county of Dougherty, presented by Mr. Ely:

Whereas, Several of the non-slaveholding States of this Confederacy have, by unfriendly aggressive legislation, nullified the Constitution framed and bequeathed to us by our fathers, and in so doing, have virtually dissolved the Union; and whereas the abolition fanatics, assisted by the votes of free negroes, who according to the decision of the Supreme Court, are not citizens of the United States, and therefore have no right of suffrage, have succeeded in carrying in the late election every Northern State except New Jersey, and are about to elevate to the highest office in this government, men whose avowed purpose it is, and who are pledged to wage an "irrepressible conflict" with Southern rights and with that institution which is the foundation of Southern prosperity and Southern society; therefore, we a portion of the citizens and planters of Dougherty county, do,

Resolve, That we believe the Legislature of Georgia should appoint the earliest day practicable for a Convention of the people to act in the defense of her interests and her outraged honor.

Resolve, That prudence, reason and wisdom dictate to us that the most speedy and certain redress for all past and present political grievances, and the most sure guarantee against further aggressions of a similar character, IS IMMEDIATE AND INDEPENDENT SECESSION.

Resolve, That while we believe that each State should act for herself in this matter, we would hail with delight the withdrawal from the Union of the other Southern

States, and we would be glad to have Georgia unite with any one or more of them in forming a Southern Confederacy.

Resolutions from the county of Upson, presented by Mr. Horsley:

We, a portion of the voters of Upson county, irrespective of party, in public meeting assembled, deploring the election of Abraham Lincoln and Hannibal Hamlin, to the Presidency and Vice-Presidency of the United States as a great national calamity, and regretting the hasty action of a portion of the people of our own sections, who in the excitement of the moment, and without due preparation, either military or financial, would precipitate the country in the untold horrors of a commercial, political and social revolution; do make the following declaration of our sentiments:

1. That we approve of the call of a State Convention, the only legal and responsible organ of the people, whether they come "from the cross-roads" or from the towns and cities—for it is the people at last who pay the taxes and do the fighting when the enemy is heard thundering at our gates.

2. That we deprecate every movement that looks to separate State action on the part of the Southern States as fraught with incalculable mischief and the wildest confusion, and ending at last in humiliation, bankruptcy and bloodshed. In *co-operation* alone is safety and wisdom. Embarked in the same cause, and identified with the same institutions, with a common foe in front and a common

danger behind, it would be monstrous if a single Southern State should, without consultation, and by separate action, attempt to decide the great question that now presses upon the South, not only for herself, but for her remaining fourteen sister States also. In union there is strength; in division and separation, danger and ultimate defeat. We would, therefore, recommend the Convention soon to assemble, in this State to invite a general Conference to be composed of the wisest and best men in the several Southern States, to whom shall be referred the whole question of Southern grievances and the mode, measure and time of their redress, with the distinct understanding, that whatever may be the determination of said Conference, the whole South will abide by it as one man. *The time has come for the final settlement of the slavery question upon an enduring and unequivocal basis,* and to a general Conference of the Southern States, we would entrust the duty of declaring what that basis shall be.

3. That we are uncompromisingly opposed to the overthrow of our present republican form of Government and the establishment in lieu thereof of a "Constitutional monarchy" in these Southern States, as recommended by some of the advocates of immediate disunion. Surely such an idea can find no favor with the friends of rational liberty and can proceed only from disappointed partisans who vainly imagine that the government and all its offices and honors rightfully belong to the favored few, who are "afraid of conventions," and are unwilling "to wait to hear from the people," even in matters of the most vital concern to themselves.

Upon motion the report of the committee was adopted unanimously.

Resolutions from the county of Lowndes, presented by Mr. Howell:

We the citizens of the county of Lowndes, irrespective of all former party affiliation, and party issues, in primary meeting assembled, considering that the union of these States was formed for the protection of our persons and property on the basis of an equality of rights; but that the Government, perverted from its original design, now fails to protect either, and instead thereof, and in violation of all good faith, has, by a systematic course of unfriendly legislation, finally reduced the Southern members of the Confederacy to a state of inequality and dependence, and considering that a majority of the Northern States have not only violated the positive requirements of the Constitution by hostile and insulting Legislative enactments, but that the General Government has totally failed either from want of will or power, to enforce obedience on the part of Northern citizens to their Constitutional obligations and oaths, and considering further that the Northern States and people after long-continued and repeated acts of insult and injury gradually becoming more violent for the last seventy years to gain supremacy for their own section, and to reduce us to a State of provincialism, that they have openly invaded a Southern State and murdered her law abiding citizens—that they have still more recently distributed poison among the slaves of another Southern State and incited them to poison, to assassinate, to burn, and have, by emissaries, fermented insurrection throughout the Southern States, and that they have inaugurated a political party, based upon the doctrine of an irrepressible conflict of rights and interests between the Northern and Southern people, and have, with unprecedented unanim-

ity, elected the candidates of that party to the highest offices in the Union aided by negro votes. Having nothing to hope for and everything to fear from the General Government, administered by such party, and placing no further reliance in the public faith of the Northern people, we do most cordially unite in the adoption of the following resolutions:

Resolved, 1st. That the election of Abraham Lincoln and Hannibal Hamlin as President and Vice-President of the United States ought not to be and will not be submitted to.

Resolved, 2d. That we request the Legislature to announce this opinion by resolution at the earliest practicable moment, and to communicate it to our Senators and Representatives in Congress, and co-operate with the Governor in calling a convention of the people to determine on the mode and measure of redress.

Resolved, 3d. That we recommend the Legislature to take into immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment likely to result to the commercial interest of the State from present political emergencies.

Resolved, 4th. That we further recommend that the Legislature take immediate steps to organize and arm the forces of the State.

Resolved, 5th. That copies of these resolutions be forwarded to our Senator and Representative, in the General Assembly of this State, with instructions to lay them before the House of which they are respectively members.

Resolutions from the county of Greene, presented by Mr. Lewis of Greene:

Whereas, The election of Abraham Lincoln and Hannibal Hamlin to the Presidency and Vice-Presidency of the United States, has taken place on grounds prejudicial to the interests and honor of the Southern portion of this Confederacy, making it necessary for the people of the South to vindicate their rights and their position before the world; and whereas, in our opinion such a movement should originate in the primary meetings of the people, and whereas our fellow citizens of various parts of this State, and sister States, are adopting a similar course. We, therefore, the people of Greene county, Georgia, for that purpose, in public meeting assembled, have adopted the following Resolutions, expressive of our views on the great and important issues before us.

Resolved, 1st. That we regard the aforesaid election, on the aforesaid grounds, as a violation of that comity which ought to subsist between the different sections of this Union; and as being a part of a policy which must end either in the degradation of the Southern States from their equality in the Union or in the total overthrow of this Republic.

Resolved, 2d. That the people of the South ought not to submit, except temporarily, to the policy which resulted in the said election, and that we think redress ought to be sought on terms hereinafter set forth.

Resolved, 3d. That while our feelings are much outraged as those of any of our fellow citizens can be, by the aforesaid election, we do not think that election is *per se*

a sufficient cause for the immediate dissolution of this Union. Our reasons for this opinion are as follows, viz.:

1st. Because Messrs. Lincoln and Hamlin have been constitutionally elected; and the people of the South have always claimed to be satisfied with the Constitution and with anything constitutionally done; we ought not therefore to resort to revolutionary measures until we have exhausted constitutional resources.

2d. As it is manifestly contrary to the interests of the northern States to dissolve the Union, and as nearly all their papers assure us that it is contrary to their wishes, it is clear that they did not intend by the election of Abraham Lincoln to produce that result, that if they had known that such would be the result they would not have elected him, and hence it follows that if the sentiment of the whole South were fairly made known to the Northern people, they ought as far as possible to retrace their steps and make satisfactory amends; possibly they might do so, at least it is proper that we should give them the opportunity.

3d. If the Southern States should secede it is desirable that they should be united among themselves; on the present issue a large number of our citizens, perhaps a majority, could not lend their influence to such a movement without a violation of both judgment and conscience; whereas a deliberate refusal of the Northern people, in convention, to guarantee to us our rights would unite us all; and so also would a single overt act of aggression on the part of the administration.

4th. If the Southern States secedes, it should be so done as to secure the sympathy of a portion at least of

the Northern people—and thus divide them among themselves. On the present issue they would be united against us. By sagacious management we can divide them.

5th. If the people of the South should calmly and earnestly request the people of the North to guarantee to them those privileges which their equality in the Union gives them a right to demand, it is reasonable to hope that some, at least, of the Northern States would comply with the request thus kindly but firmly made. If enough of the States should side with us to incorporate such changes in the Constitution as would secure to us all we desire, we should maintain our rights and at the same time preserve the Union; or if otherwise the secession would take place on the part of the recusant Northern States the onus of the movement would then be on *them*, and that too under such circumstances as to deprive them of even the shadow of an excuse. If there should not be a sufficient number of States in sympathy with us to make the desired changes in the Constitution, we should have succeeded at least in uniting the South, in dividing the North, and in justifying ourselves before our own consciences, in the sight of the world, and in the sight of God.

6th. By such delay and such action as will throw the blame on the North, we shall secure the sympathy of Foreign Powers, and put ourselves in a fair way to obtain aid from Great Britain and France in case of rupture.

7th. On the other hand unnecessary or indecent haste in so serious a thing as the overthrow of this Govern-

ment, besides being intrinsically wrong, would cut us off from sympathy in all directions. Mr. Lincoln has been elected over the opposition of nearly two-thirds of the people of the United States, and a majority of both Houses of Congress will be in opposition to his Administration. It will therefore not be in his power to act in prejudice of Southern rights, interests, or honor, so speedily as to make it necessary for us to proceed at once to dissolve the Union.

8th. The people of the South, though they have long been hearing of disunion, have in general regarded it as nothing more than the watch cry of politicians, and *thousands do still so regard it*, and while a few confidently expect and desire disunion, yet the masses of the people are unprepared for it in feeling, and not only so, but what is worse, no preparation has been made for a separate Government. The State Governments would be wholly inefficient for national purposes, and we should be temporarily at least in a condition bordering on anarchy, and not far from ruin.

9th. In case of disunion, it is absolutely necessary that we should be in a condition to defend ourselves from attack; and, at present, we are almost wholly defenceless. To incur the risk of war, when we have no means of sustaining a single campaign, would be madness. To say nothing of the enormous expenditures that would be necessary, proper military preparations could not be made without considerable consumption of *time*.

10th. Up to the present hour, no effort has ever been made by the people of the United States, as such, to reconcile their differences. Politicians and demagogues, on both sides, have made inflammatory appeals to the

passions of the people, and, instead of allaying excitement, have stirred it up,—instead of repressing mutual distrust and dislike, have promoted it,—instead of removing the causes of dispute, have created them. For the sake of power and office, both parties have pandered to the passions and prejudices of the people at home, keeping each section in ignorance of the patriotic, conservative and catholic feelings of the other. Mutually exasperated by the incendiary and disorganizing representations of the hungry, office-seeking crowd, the two sections find themselves in a fierce controversy which they had no hand in bringing on. In the meantime, those who originated the strife are busy on both sides in hastening it on to open rupture and disunion, in order that the number of offices may be doubled, and their share of the spoils be increased. Our politicians would not settle our differences, if they could, and could not, if they would. It is at least clear that they *have not* done it, and that they *never will*. If we ever have a peaceful termination of our troubles, it will be brought about by the *people*. Hitherto the people have taken no action. If, then, we dissolve *now*, we shall have destroyed the fair future of this Union, which our fathers reared at such expense of treasure and blood, *without having made one solitary effort to preserve it*. To desecrate the altar on which our ancestors pledged their lives, their fortunes and their sacred honor,—to overthrow the majestic monument of their wisdom, genius and patriotism,—to transmit to posterity only the fragments of the inheritance we received from our fathers, without ever having moved a finger to arrest the ruin, would be barbarous and monstrous—worthy not of Christian men, but only of Goths and Vandals.

11th. We owe a duty to mankind, as well as to ourselves. The monarchies of Europe have ever looked with a jealous eye upon the Republican Institutions in America, and are even now predicting their downfall. The dissolution of this Union would seem to be in verification of their predictions, as it would certainly be in accordance with the wishes of the more despotic of them. The effect on European lovers of liberty would be disheartening, and we know not how great the shock might be to the progress of free principles all over the world. There might indeed be circumstances which would make it necessary for us to relieve ourselves of the difficulties into which our politicians have brought us, by destroying our own Republic; but to take this last and awful step,—to bring about this tremendous catastrophe, pronounced even by Lord Brougham to be “the greatest calamity that could befall the *world*,” and that without a movement towards preventing it, would be recreant to every trust that we owe to ourselves, to God, and to our fellow men.

12th. Admitting the necessity of disunion, and admitting that it could take place without bloodshed, and under the most favorable circumstances, it must be obvious to every one that the financial difficulties in which it would involve us would be overwhelmingly great. There would be an utter loss of confidence; holders of Federal and State securities would be ruined; stocks of all descriptions would be greatly depreciated, or worthless; the banks would be forced to cease their loans, and probably to suspend specie payments; myriads of incendiaries among us would reduce the value of our lands and negro property, men in debt, as multitudes of our citizens are, would be unable to pay, and if sold out

their property would be sacrificed and themselves ruined; business of every kind would stagnate, and hence vast numbers of our fellow-citizens now in easy circumstances would be reduced to poverty, and at the very acme of this pecuniary pressure, the demands of the new government for money would be enormous,—our taxes would be doubled and redoubled and increased to a degree which we have no means of estimating. To raise money by loans would be, in case of peace, difficult, if not impossible, and in case of war it would be absolutely impossible. The money could come only from the pockets of the people, and the share of Georgia would be millions upon millions. The sum of one million, which his Excellency the Governor proposes now to raise, amounts to nearly two dollars per head for every voter in the State. Yet this is nothing to what the future may develop. Add to this that our paper money would be worthless, and that there would be no buyers for our property, and it is hard to see how we should raise the immense sums which our necessities would require. We should have a mail service to establish, public buildings to erect, our coasts to fortify, a navy to build, an army to support, afloat and ashore, and last, but not least, our legion of office holders to fatten; and with this, too, at this very time when after a summer of universal drought, our cotton crop is unusually short, and our supply of provisions wholly insufficient without importation from the Northern States to keep us from actual want. The most careless thinker must perceive that the pecuniary embarrassment and domestic distress, which must result from a sudden and unexpected upheaval of the whole social fabric, would be such as is seldom paralleled in the history of man. With this appalling

prospect,—the immediate and unpremeditated of this government on the mere ground of Mr. Lincoln's election, or indeed on *any* ground, would argue a puerile indiscretion and headlong rashness on the part of the actors, which would indicate anything but their fitness for their positions, and prognosticate anything but the success of their operations.

13th. Admitting what has never been denied, that, under certain circumstances, the Union ought to be dissolved, the sober common sense of all mankind would decide that it ought not to be done in a panic, or excitement, nor under circumstances that even give it the *appearance* of being so done. There should be the appearance and the reality of deliberation and dignity in giving the death-blow to so great a republic. Our fathers were in a position almost exactly similar to our own, when they dissolved the tie that bound them to Great Britain. For us to take a step of like character, without having reference to their experience and example, would be as unwise as irreverent, and prove that we are unworthy descendants of noble sires. The course of these sages of the Revolution was one of great wisdom. “It received the applause of the greatest statesman of Europe. The leaders of the colonies were resolute, but calm and deliberate,—they appreciated fully the difficulty and delicacy of the task imposed upon them. They laid their plans slowly, cautiously and with deep sagacity. It is worth our while to trace their course. They began by uniting their counsels. No *Colony* seceded *alone*. They formed a Congress for joint deliberation and action. The Congress so formed assembled in September, 1774. It did not begin by dissolving the Union. They adopted a declaration of rights; they issued addresses to the

people of the United Colonies, to those of Canada and of Great Britain; they petitioned the King; they adopted resolutions to import no goods from Great Britain and Ireland, and to export none to those countries; they prepared arms; they still delayed; they knew that, in reforming abuses, the last step is to dissolve the government;—they were firm, but patient. Boston was occupied by a British army. The battle of Bunker Hill was fought. The victory of Fort Moultrie was achieved. Still the moderate patriots of Congress kept open the door of conciliation. From September, 1774, to July, 1776, they made every effort that was honorable to preserve the Union. They still hesitated to abolish it even in the midst of battles, sieges and bloodshed. It was at the end of nearly two years, when every appeal to the justice, friendship and interest of England, had been made in vain, that Congress severed the bonds that united the Colonies to the Mother Country. There was no boyish petulance, no indecent haste, no blind rushing into the mire of revolution, with a vague dependence on some contingent Jupiter to assist them in getting them out of it. The leaders of America were statesmen, calm, firm, moderate. They took care to secure and establish a new Union before they dissolved the old.”—(*Quoted from the Charleston Courier.*) Such was the example of our fathers. Were we hastily to dissolve the Union, and that too without making an effort to preserve it, we should be disregarding the pregnant teachings of our own history, and setting at naught the example of those venerable men who founded our government, and whose far-seeing counsels are justly held in admiration by the whole world. Having given these reasons why the Union ought not to be hastily dissolved for any cause, and

especially on account of the election of Mr. Lincoln to the Presidency, and yet, feeling that our grievances demand redress, we proceed now to state what we think the proper course to be pursued. Therefore,

4. *Resolved*, That in our opinion the people of Georgia and of each of the Southern States, ought to meet in Convention at their respective Capitals, to take these great momentous issues into consideration; that at said Convention, a platform should be adopted, by which the people would be willing to live, and for which they would be willing to die, that the tone of the proceedings so far as they have reference to our Northern fellow-citizens, should be courteous and respectful, free from threats and from violent language, but still firmly asserting our rights; and that copy of said proceedings be laid before the Governor, and Legislature of each State in the Union.

5. *Resolved*, That we think there should be at an early day a Convention of all the people of the Southern States; at which Convention all we have to ask at the hands of our Northern neighbors, should be distinctly set forth; and that the people of each of the Northern States, be requested to call a similar Convention, to decide whether or not they will accede to our wishes. Until this step is taken both at the North and South, no action will ever have been taken by the *people* of the United States *as such*, to adjust their differences and manage their own business.

6. *Resolved*, That the demands made in said Convention on the Northern people, ought to be in accordance with the principles laid down in the document known as

the Georgia Platform, in addition to which, we ought also to ask the prohibition of negro suffrage in the Northern States so far as relates to the election of Federal Officers, and that if the Constitution was so amended as to secure to the people of the South, the rights just specified, they ought to be and would be satisfied. We do not mean by this, that we ask any rights additional to those now meant to be secured to us by the Constitution; but that we would have those rights set forth in terms, such as our Northern fellow-citizens would construe, as *we* do, the Constitution as it *is*.

7. *Resolved*, That if the people of the Southern States do solemnly agree to make the aforesaid request of the people of the Northern States, and if said request thus solemnly made is deliberately refused by them, then and in that case, which may Heaven avert, we believe that the people of the Southern States should secede from the American Union, peaceably if they can, forcibly if they must. But even in that case, the act of secession should not take place until arrangements had been made for a Provisional Government, and one, too, which might have some reasonable prospect to sustain itself.

8. *Resolved*, That whether we remain the Union or secede from it, our present defenceless condition invites oppression and aggressions and that therefore, we heartily concur in the recommendation of his Excellency the Governor, to supply the State with arms and munitions of war. And we further suggest that a portion of this expenditure be for *Artillery*, a valuable branch of Military service, with which our people are almost wholly unacquainted; that the most approved work on Military tactics be purchased, and supplied to the principal officers

of each Volunteer Company; that the expediency be considered of employing at State expense, one or more officers who have seen service and who are well skilled in the profession of arms, to instruct our volunteers, and also that enquiry be made as to the expediency and practicability of establishing under State patronage or otherwise, manufactories of gun powder and fire arms, within the limits of this State; and lastly we recommend our fellow-citizens to organize Volunteer Companies in every county.

9. *Resolved*, That in view of the great and solemn crisis which is upon us, we request our fellow-citizens to unite with us in prayer to Almighty God, that He would deliver us from discord and disunion, and above all from civil war and bloodshed; and that He would so guide our counsels and actions, that we may be able to maintain our rights without revolution.

10. *Resolved*, That our Senator and Representatives in the Legislature, be requested to lay these proceedings before the House of which they are respectively members; also that said proceedings be published in the Planters Weekly, Augusta Constitutionalist and Augusta Chronicle and Sentinel, and that all other papers friendly to the sentiments therein contained, be requested to copy them.

Resolutions from the county of Pike, presented by Mr. Mitchell:

We, the citizens of Pike county, believing that the election of Lincoln and Hamlin to the Presidency and

Vice-Presidency of the United States, is a virtual declaration that there is no government for the slave holding States, and feeling that their inauguration would be an intolerable calamity upon our section of the Union, cordially unite in the following resolutions:

1. *Resolved*, That we are in favor of Georgia withdrawing from the Union.

2. *Resolved*, That we recommend to the Legislature, the propriety of taking steps for the calling of a State Convention as early as practicable, to ascertain the voice of the people, and to take such steps as they in their wisdom may conclude the emergency requires.

3. *Resolved*, That we recommend the propriety of the people organizing and arming themselves as well as possible, and preparing themselves in a prudent way to defend themselves should necessity require it.

Resolutions from the county of Monroe, presented by Mr. Settle:

The people of Monroe county, assembled to consult together as to the present political condition of the country, and to consider what their rights, interests and honor demand in this crises, do resolve as follows, to-wit:

That we cordially approve of what we have understood to be the recommendation of the joint committee on Federal Relations in the General Assembly of this State, to-wit:

That the present crisis in our national affairs demands resistance on the part of the State of Georgia and that we recommend a convention of the people at an early day, to determine the mode, manner and time of redress.

Resolutions from the County of Oglethorpe, presented by Mr. Lofton:

Whereas, There exists in this Government a powerful sectional party, bound together by the great principle of antagonism to slavery, based upon the one idea of "irrepressible hostility to the institutions of the South," which has made it penal by the enactment of State Legislatures for a Southern man to attempt to recover his fugitive slaves under the Constitution and laws of his country, which has elevated to the highest office in the Government a man representing the ultra aggressive and Revolutionary doctrines of his party, and which must in a few years by the multiplying of "free labor States" obtain the entire control of the Federal Government; therefore,

Resolved, 1st, That the South ought not, and will not, submit to the administration of Abraham Lincoln.

Resolved, 2nd, That we believe the true policy of the Southern States, identified as they are in interest, is *Union, co-operation, concert of action*, and we therefore recommend our Legislature now in Session to invite by appropriate Resolutions all the Southern States to meet Georgia in Convention at an early day, to take counsel together upon the State of the country, and to determine upon a line of policy for the maintenance of their rights.

Resolved, 3rd, That we believe the States forming this Confederacy are co-equal and sovereign, and as such may rightfully resume their delegated powers and assume the position of Independent States among the Nations of the earth, whenever such a course is necessary in their judgment, for their safety and honor, and we will therefore abide the will of Georgia when fairly expressed in her sovereign capacity, as to the mode and measure of redress of our present grievances.

Resolved, 4th, That we approve of the appropriation of a million dollars as a military fund, and recommend the establishment of an armory within the State, the reorganization of our Militia laws, and any other measures necessary to place the State in a complete defensive attitude.

Resolved, 5th, That we approve of the suggestion to call a Convention of the people of Georgia to determine the policy of the State in the present perilous condition of the country.

Resolved, 6th, That we entertain sentiments of profound respect for those brave, patriotic men of the North, who stood firmly by the Constitution and the equality of the States in the late Presidential contest, and who did all that true men could do to roll back the tide of abolitionism and fanaticism to defeat Lincoln and save the country.

Resolved, 7th, That a copy of these resolutions be forwarded to our Senator and Representative in the Legislature now in session.

Resolved, 8th, That we tender the Hon. T. R. R. Cobb our thanks for the very able and eloquent address this day delivered on Federal Relations.

Resolutions from the County of Cobb, presented by Mr. Lester:

Resolved, That in view of the dangers which threaten, this is no time for political differences, but the South should, as a united people, demand redress for her accumulated wrongs from Northern aggression.

Resolved, That we highly approve of the Governor's call of a State general Convention, and that we hold ourselves unitedly subject to the action of that Convention.

Resolved, That we look upon further overtures from the South to the North to rescind their obnoxious and unconstitutional acts, as a mockery.

Resolved, That we suggest that our Representatives in the State Legislature consult with other members of that body on the propriety of requesting the Governor of this State to issue his proclamation forthwith to the effect that the general Convention of Georgia will hold itself open to overtures from the North which shall be allowed due consideration, in their deliberations.

Resolved, That we should urge our Legislature to call the Convention at latest by the first of January next, and that in the event of no overtures and concessions being made by the North, accompanied by guarantees for future protection to our rights and interests, including that of slavery, that they, at an early day thereafter declare the withdrawal of Georgia from the Union.

Resolved, finally, That we believe Secession to be our only remedy for redress, and that without it Revolution will be the inevitable consequence.

Resolved, That the proceedings and Resolutions passed by this meeting be sent to the papers of our county for publication. 2nd, That a copy of the same be sent by our Secretary to our Senator and Representatives in the Legislature requesting of them to see to it that the sentiments therein expressed be acted on, and that our Governor's attention be solicited to the call for a Proclamation, as therein requested.

Resolutions from the County of Carroll, presented by Mr. Richards:

We a portion of the people of Carroll County without distinction of party in Convention, do adopt the following preamble and resolutions:

Whereas, That exists in the Northern States of this Union, a party whose views are hostile to the peace and safety and utterly subversive of the rights, and interests of the people of the slave holding States, denying them all right to participate in the settlement of the territories, which are the common property of all the States, acquired as well by Southern blood, valor and treasure, as by Northern, declaring the institution upon which rests the prosperity and happiness of the Southern people, a damning sin, a foul blot upon our National honor, and waging a perpetual war upon it, determined that it shall be removed regardless of the means to be adopted, their Representatives in the Halls of the Federal Capital openly

and boldly, and in direct conflict with the Constitution declaring that another slave State shall not be admitted into the Union; and whereas the election of candidates of this party to the Chief Magistracy of the Government upon a platform, embracing substantially, the above views, and by a party whose limits are clearly and distinctly marked by a geographical line, dividing the slaveholding from the non-slaveholding States of this Union is a clear and conclusive proof that they have the power, coupled with the will to trample under foot, and totally disregard the rights guaranteed to us, by our forefathers in the Constitution, leaving us no position in the Union, but one of inequality, degradation, and absolute submission to Black Republican domination and misrule; therefore, be it

Resolved, That Abraham Lincoln is not, can not, and shall not be the President of the Southern people by our consent.

Resolved, That a State in her sovereign capacity has the right peaceably to secede from the Union, for a sufficient cause, (and there being no umpire) she has the right to judge of the cause.

Resolved, That the election of Abraham Lincoln to the Presidency and Hannibal Hamlin to the Vice-Presidency, is sufficient evidence, that they intend to continue their aggressions on our rights, and leaves us no hopes for the maintenance of our rights in the Union.

Resolved, That the only means by which Georgia can maintain the exalted position she now occupies as a Southern State, is in immediate secession so soon as the

will of the people can be ascertained by the proper legal method and that as the Empire State of the South, she should lead in this great work, and strike the first blow for independence outside of the Union, which exists now only in the name.

Resolved, That our Senator and Representatives in the State Legislature be instructed to use all honorable means to bring about the calling of a convention of the people at the earliest possible period, in order that Georgia may determine what course she will pursue in the impending crisis; and that they be requested to lay these resolutions before the General Assembly; and that they accept of no compromise, short of a Convention of the people, believing as we do, that whenever they act, it will be for the honor and interests of our beloved State; and having faith in their own patriotism, are willing to leave it for them, to say whether they will submit longer to a Government that has but one object in view—that of *oppression*.

Resolved, That believing that the time has come when there should be no division of sentiment at the South, when all should be united in a common cause of defense against a common enemy, we do agree to bury all former differences, and party names, and in support of the above resolutions, do bind ourselves to unfurl to the breeze the *banner of secession*, and never cease to do battle in its cause until we behold our beloved State once more occupying the proud position of independence, for which the God of Heaven designed her.

Resolved, That a copy of these resolutions be forwarded to our Senator and each of our Representatives and the Carrolton Advocate for publication.

Resolutions from the County of Merriwether presented by Mr. Render:

Whereas, The Northern States of this Union, have by a vote purely sectional, and a majority unprecedented, elected to the Presidency, Abraham Lincoln the author of the irrepressible conflict theory, which theory recognizes the equality of the negro with the white man, and demands the extinction of slave labor as such, in the Southern States of this Union; and whereas the Chief Magistrate elect, has hitherto refused to yield to the clamor of the commercial interests of the Northern States, and proclaim a conservative Constitutional line of policy, but when called upon to announce his policy, like an honest man, invariably, and boldly refers them to his past record, and to his speeches in the Senatorial canvass with Judge Douglas; and whereas, that record and those speeches, have no reference to any other question but that of slavery and proclaims no other doctrine, but that of "war upon the institutions of the South," Be it therefore,

Resolved, 1st, That this Government administered according to the policy of Abraham Lincoln, as thus set forth by himself, and sufficiently foreshadowed in the known sentiments of his adherents at the North, "is no longer a Government for the people of the South."

Resolved, 2nd, That in the judgment of this meeting, it is incompatible, either with our interests or our honor to remain longer in the Union without additional, adequate bona fide and reliable guaranties, for our future safety and protection and while we are determined, in no event to surrender our rights under the Constitution, we

deplore and depreciate hasty and precipitate action in a matter of so much moment, and hereby recommend to the Convention of the people," which is soon to assemble, and by whose decision, we pledge ourselves to abide, the following seven propositions, as a fair, just, and equitable basis of settlement of the whole question, now at issue between the North and the South, and most cordially invite the aid and co-operation of the whole Southern people in the assertion and enforcement of these demands:

First. The Northern States must repeal their nullifying acts.

Second. The obligation of the Northern States to carry out the provisions of the Constitution, in relation to the rendition of fugitives from service, must be recognized and enforced.

Third. The non-slaveholding States must not by their laws or their people, allow the people of the South, to be deprived of their slave property, or disturbed in the enjoyment of the same, when visiting such non-slaveholding States, on business or pleasure, nor when driven on their soil, by accident or stress of weather.

Fourth. As far as relates to the General Government, the non-slaveholding States must admit, that negroes are not citizens, and shall not vote in Federal Elections, nor be eligible to office under Federal Government; negroes are not citizens under the Constitution of the United States. States can do as they please on this subject, when confined to themselves, it is not our business, but who shall vote and who shall hold office under the Federal Government, is our business, and the right of

citizenship shall not be extended to those who are not citizens under the Constitution.

Fifth. That Congress shall not interfere with slavery in the District of Columbia, nor elsewhere in the Federal Jurisdiction in a manner inconsistent with the rights, the honor, the safety, and the domestic tranquility of the Southern States nor with the inter-State and slave trade in any manner.

Sixth. That the Territories shall be admitted to be common property, open to common settlement, and the inhabitants shall be protected in the enjoyment of all their property of every kind recognized as property, in the States from which they emigrate, until the State Government is in actual operation, and then, without injury to the rights of property previously acquired, when the State Governments are formed, they may be admitted into the Union with or without slavery, as their Constitution may determine.

Seventh. The Government shall enforce these and all other provisions of the Constitution, and adequate Legislation shall be provided for the enforcement and protection of all such Constitutional rights and duties.

Resolutions from the County of White, presented by Mr. Allen of Banks:

At a meeting of the people of White County held in the town of Cleveland on the 24th of November, 1860, the following preamble and resolutions were adopted without a dissenting voice, to-wit:

The election of Abraham Lincoln to the Presidency of the United States, by a vote strictly sectional in its character, has, by convincing the South of the reality of their common danger, rendered it the imperative duty of all true lovers of their country to make a plain avowal of their opinions regarding the serious crisis which has been forced upon them; and, whereas, the people of White county, deeply sensible of the solemnity of the occasion, are not willing to remain passive, nor to forbear the expression of their determination to stand true to themselves and to that section of the common Union which more pre-eminently demands their fealty, their protection, and their love; Therefore,

Resolved, That the action of the Northern States, in the election of Abraham Lincoln to the Presidency, has excited our warmest indignation, and heaped a climax upon those injuries which have already despoiled us of our property, invaded our homes, and sought the ruin of our happiness, by inciting murder and insurrection in our midst.

Resolved, 2nd, That we look with abhorrence upon these acts, and that we trace them to the fatal delusion which, in seeking to equalize the negro and white races, runs contrary to the will of Providence, as evinced in the intellectual inferiority of the black race, and in the common experience and history of mankind.

Resolved, 3rd. That we have loved this Union with all the affection of our hearts, that we have never forgotten (although others have) that it is the fruit of the battles won by Southern Generals, and at the dear expense of Southern blood, and that it is with the utmost sorrow we

have witnessed in the progress of Northern fanaticism the only cause which can lead to its overthrow.

Resolved, 4th, That we are not unmindful of that inheritance bequeathed us by our Revolutionary fathers, and which united them as one man, in fears, in dangers, and through unnumbered trials in the defense of liberty, in the cause of justice, and in a heart-hatred of all tyranny and oppression.

Resolved, 5th, That we regard this Union as a compact between independent States, in which, although certain rights have been delegated by the several States for the advantage of the commonwealth, the great inherent right of separate State sovereignty has not and can never be either alienated or resigned.

Resolved, 6th, That the compact is binding only so long as its mutual conditions are observed in perfect good faith; that in this respect it bears an analogy with those contracts which obtain in private transactions, and that, while the South can challenge the world to point to a single instance in which she has infringed its causes, it is equally plain that, in the nullification of those Constitutional enactments which were designed for her protection, and more particularly by the laws which have been passed by nine of the Northern States, abrogating the Fugitive Slave Law, the North has set aside the Constitution, *proudly* elevating *herself* above that instrument by which she effects to hold us bound, the more fully to accomplish our destruction.

Resolved, 7th, That we most cordially approve the message of Governor Brown, as embodying the views of a true patriot and statesman; that we concur in the policy

which recommends the calling of a Convention of the people of Georgia, and that we unanimously second that portion of his message which demands an appropriation for the purposes of effectually organizing the military resources of the State, and urges the adoption of retaliatory measures towards the North by a system of rigid taxation.

Resolved, 8th, That we are prepared to resist any further invasion of our rights by those who, drawing their wealth from our toil, have thus far only recompensed us with violence, with obloquy, and with hostile and unconstitutional Legislation.

Resolutions from the County of Muscogee, presented by Mr. Dixon:

We, the citizens of the County of Muscogee, ignoring all party names and views, cordially unite in the following resolutions:

Resolved, That the election of Abraham Lincoln and Hannibal Hamlin to the Presidency and Vice-Presidency of the United States ought not to be, and will not be submitted to.

Resolved, That we request the Legislature to announce this opinion, by resolution, at the earliest practicable moment, and to communicate it to our Senators and Representatives in Congress, and to co-operate with the Governor in calling a Convention of the people to determine on the mode and measure of redress.

Resolved, That we respectfully recommend to the Legislature to take into their immediate consideration the

passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interests of the State consequent upon the present political emergency.

Resolved, That we respectfully suggest to the Legislature to take immediate steps to organize and arm the forces of the State.

Resolved, That copies of the foregoing resolutions be sent without delay to our Senator and Representatives in the General Assembly of the State, who are hereby requested to lay them before the houses of which they are respectively members.

Resolutions of a portion of the people of the County of Troup, presented by Mr. Humber:

Whereas, the election of Lincoln and Hamlin to the Presidency and Vice-Presidency of the United States has precipitated on the South a crisis to be deeply deplored. The party that has elected these men is sectional, fanatical and treasonable. It is in open violation against the Government, has nullified the fugitive slave law, bids defiance to the Constitution, incites insurrection amongst slaves, encourages invasions into our States, and proclaims eternal war upon our institutions and honor, and our independence. The only idea that unites and holds it together is hostility to slavery, and to bring about its final extermination. The result of submitting to the administration of this party will be in effect to tie our hands, and finally to abolitionize our State. Therefore,

Resolved, That the election of Lincoln and Hamlin is equivalent to treason itself, usurping the Government, and that the South should not submit to their administration.

Resolved, That we are not warranted by experience or history in temporizing with this party, expecting its fanaticism to abate. Therefore, we recognize secession as the only adequate remedy for existing evils.

Resolved, That we believe the States forming this Confederacy are co-equal and sovereign, and as such, Georgia may rightfully resume her delegated powers, and assume the position of an independent State among the nations of the earth, whenever her people in Convention decide it necessary.

Resolved, That the appropriation of a million dollars by the Legislature, to place Georgia in a defensive condition, meets our unqualified approbation.

Resolved, That we will resist to death, with our lives, our property and money, any attempt on the part of the General Government to coerce a seceding State into submission to an abolition administration.

Resolved, That those true and brave men at the North who have battled hard and long for our rights, the Constitution, and the equality of the States, merit our gratitude and praise. But, as there was not enough righteous men in Sodom and Gomorrah to save those cities from the vengeance of God and the fire of Heaven, it became necessary for Lot and his family to retire. Our Northern friends can profit by this example.

Resolved, That we approve of the call for the Convention of the people of Georgia, by the Legislature.

Resolved, That the President transmit these proceedings to our Senator and Representatives, requesting them to present them to the Legislature at their earliest convenience.

Resolutions from the County of Glynn, presented by Mr. Harris:

Whereas, It is now known to us that Abraham Lincoln and Hannibal Hamlin are elected to the Presidency and Vice-Presidency of these United States, and that by a well defined section of this Confederacy, whose interests, pursuits and sentiments are entirely antagonistic to our own, and who, by virtue of their own strength, have wilfully determined to inaugurate new principles, and that, too notwithstanding the manifest fact that not one of the fifteen sovereign States could give them the slightest shadow of support—their avowed purpose being to disturb our peace and happiness by means the most hateful and horrible in the sight of God and man—in a word, to wage an irrepressible crusade against our rights, our liberties, our lives and property, thereby annulling and subverting the Constitution of the United States, the only compact of Union between them and us—be it therefore,

1st. *Resolved*, That the compact of Union being broken on the one part, it is no longer binding on the other, and we are thereby released from all allegiance to the Government constituted under that compact.

2nd. That we are willing to rely for protection on the sovereign State of Georgia alone.

3rd. That, in view of the coming crisis, our Senator and Representative be requested to use all their energy and talents to have organized on a war footing as many volunteers as, in the judgment of the Legislature, may be necessary.

4th. That they advocate with zeal and earnestness the call of a Convention of the people to take into consideration the position which Georgia shall assume in this momentous crisis.

5th. That a copy of this preamble and resolutions be sent to our Senator and Representative, with the request that they be acted on at the earliest practicable moment, and that the proceedings of this meeting be furnished for publication, in the Brunswick Advocate and Savannah News, with the request that other papers copy.

Resolutions from the County of Gordon, presented by Mr. Fain of Gordon :

We, a portion of the people of Gordon County, regardless of all past differences, and looking above and beyond all mere party ends, to the good of our native South, do hereby publish and declare :

1st. That Georgia is, and of right ought to be, a free, sovereign, independent State.

2nd. That she came into the Union with the other States, as a sovereignty, and by virtue of that sover-

eignty, has the right *to secede* whenever, in her sovereign capacity, she shall judge such a step necessary.

3rd. That in our opinion, she ought not to submit to the inauguration of Abraham Lincoln and Hannibal Hamlin, as her President and Vice-President but should leave them to rule over those by whom alone they were elected.

4th. That we request the Legislature to announce this opinion by resolution, at the earliest practicable moment, and to communicate it to our Senators and Representatives in Congress, and to co-operate with the Governor in calling a Convention of the people to determine on the mode and measure of redress.

5th. That we respectfully recommend to the Legislature to take into their immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interests of the State consequent upon the present political emergency.

6th. That we respectfully suggest to the Legislature to take immediate steps to organize and arm the forces of the State.

7th. That copies of the foregoing resolutions be sent, without delay to our Senators and Representatives in the General Assembly of the State, who are hereby requested to lay them before the House of which they are respectively members.

Resolutions from the County of Richmond, presented by Mr. Gibson of Richmond:

The Chairman having stated the object of the meeting, then informed the assemblage that it had been made

known to him that a white flag with the lone star, and inscribed thereon: "*Georgia—Equality in or Independence out of the Union*" had been placed upon the cupola of the Temple of Justice, in which they were then assembled; and was then waving over their heads; which announcement was received with long-continued applause. When, on motion, it was unanimously

Resolved, That this meeting adopt the flag and its position as their act evincive of their determination in the present crisis.

Resolved, That the election of Abraham Lincoln and Hannibal Hamlin, to the Presidency and Vice-Presidency of the United States ought not to be, and will not be submitted to.

Resolved, That we request the Legislature to announce this opinion by resolution at the earliest practicable moment, to communicate it to our Senators and Representatives in Congress, and to co-operate with the Governor in calling a Convention of the people to determine on the mode and measure of redress.

Resolved, That the only redress is immediate secession from the Union.

Resolved, That we respectfully recommend to the Legislature to take into their immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interests of the State consequent upon the present political emergency.

Resolved, That we respectfully suggest to the Legislature to take immediate steps to organize and arm the forces of the State.

Resolved, That copies of the foregoing resolutions be sent without delay to our Senator and Representatives in the State, who are hereby requested to lay them before the House of which they are respectively members.

Resolved, That our thanks are due and are hereby tendered to those noble men of the North, who attempted at the ballot box to roll back the tide of fanaticism; they have fallen, but we shall ever recognize them as brethren, and ever regard them as such so long as they maintain their integrity.

Resolved, That we hereby express our willingness to submit to additional taxation for the raising of the one million dollars for the purchase of arms, as recommended by Governor Brown in his message.

Resolved, That the meeting called this afternoon under the direction of the Mayor, instigated by those who may have been his dictators, passed certain resolutions which do not meet our approval—

1st. Because they are not the sentiments of the citizens of this County, and secondly, because we believe them wrong in principle and policy.

Resolved, That the remarks of the Chronicle and Sentinel as to the difficulty of raising funds for the protection of the State, is the enunciation of mind which is not anti-slavery in feeling, but which misunderstands the feeling and true interest of the South, and this extends to all papers in Georgia holding similar sentiments.

Resolutions from the County of Pierce, presented by Mr. Sweat:

Whereas, It is now evident that Abraham Lincoln and Hannibal Hamlin have been elected to the Presidency and Vice-Presidency of the United States of America; and whereas, we, a portion of the citizens of Pierce County, believe that their election is an evidence of the growing spirit of fanaticism at the North, and tends to the destruction of our peculiar institutions. Therefore,

Resolved, That we believe the day has come for the Southern States to resume the powers delegated by them to the General Government, and we earnestly recommend our own State to take some decisive action with that view.

Resolved, That we heartily approve the resolutions adopted recently in Savannah.

Resolutions from the county of Spalding presented Mr. Stafford:

We, the citizens of Early County, having one and the same interest in the common liberty given us by Revolutionary Fathers and Mothers, feel that we can not and will not suffer it trampled upon by Northern fanatics, and that we will ignore all party names and views, and cordially unite as one man, in the following resolutions:

Resolved 1st, That the election of Abraham Lincoln to the Presidency of the United States ought not to be and will not be submitted to.

Resolved, 2d, That we request the Legislature to announce the same opinion by resolution at the earliest

practical moment, and to communicate it to our Senators and Representatives in Congress, and to co-operate with the Governor in calling an immediate Convention of the people to determine on the measure and mode of redress.

Resolved 3d, That we respectfully recommend to the Legislature to take into their immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interest of the State, consequent upon the present political emergency.

Resolved 4th, That we respectfully suggest to the Legislature to take immediate steps to organize and arm the forces of the State.

Resolved 5th, That we shall cherish ever the deepest feeling of fraternity and gratitude towards those conservative men at the North, who, in the face of overwhelming majorities, have stood up for our Constitutional rights.

Resolved 6th, That while we are willing to abide by the action of a legal Convention when assembled, yet we can at present see no mode but secession, which we advocate.

Resolved 7th. That copies of the foregoing resolutions be sent without delay, to our Senator and Representative in the General Assembly of the State, who are hereby requested to lay them before the House of which they are a member.

Resolutions from the county of Spalding presented by Mr. Patrick:

The people of Spalding county, assembled the 17th of November, anno domini 1860, in Griffin, meet as citizens and under a deep sense that the crisis precipitated upon us by Abolition, demands at our hands wise, decided and prompt action, such as will preserve our rights, our interests and our sacred honor. And we solemnly declare:

1st. That the people of the State of Georgia constitute a free and independent State, not subject to any power on earth.

2nd. That it is, and ought to be the right, of the State to fix her own destiny in her own way.

3rd. That in the year 1787, the people of the State of Georgia, with all the sincere emotions of a TRUE people, entered into solemn constitutional compact with the white people of the other States, "to form a more perfect union, establish justice" to all the States, "ensure domestic tranquility, provide for the common defence" of the persons and property of all the citizens of each of the States, "promote the general welfare, and secure the blessings of liberty" to her citizens and their posterity: and true to her honor, Georgia has never been wanting in the fulfillment of all her obligations in the compact; whether in peace or in war, in prosperous or adverse times, she has scrupulously observed and faithfully kept her WHOLE bond of fraternity.

4th. Georgia has received no such fraternal return at the hands of any of all the free States in this Union—

New Jersey and California excepted; for they have for a long series of years imposed tribute on her industry to maintain and encourage their internal improvements and their princely manufacturing establishments: they have, in all the ways a people can, fostered abolitionism, and that, too, while its votaries openly avow their design to overthrow her cherished institution of negro slavery, and thereby destroy, root and branch, her very existence, and this they have done with malicious intent to envelop her people in a ruin that is both incalculable and indescribable, and in the very teeth of the Constitution they swear every day to support.

5th. The non-slaveholding States, in their fanatical war upon us, have wilfully and wantonly trampled under their feet the Constitution that would sacredly bind any but perjured consciences, in order to execute THEIR hate upon our rights; they have solemnly resolved to rob us of our just share in all the vast common Territories of the Union, to enable them in a day (not now distant) to put upon us the iron heel of their "irrepressible conflict" to free our slaves, and make them incendiaries to destroy us by fire, and monsters to immolate our wives and daughters at the shrine of their only god on earth—Abolitionism.

6th. This Government is and ought to be, the Government of the WHITE PEOPLE; was made by and for the citizens—men capable and worthy to be free citizens. Our ENEMY has dared even to undertake to subjugate us to their own fallen and degraded condition to a NEGRO Government.

7th. They have, in the year 1860, organized a gigantic party which has dared, in the face of the nation,

to avow in a deliberate platform of purposes, the whole of the Abolition WILL, and have foisted over us a man of iron nerve, known to embody and approve all their destructive designs; they now offer us as our only alternative, a ruler so hateful to us that he dare not trust his person in a single slave State in the Union; a President in whose election no single slave State has participated, except by all manner of means known either to the Constitution or to manly resistance, to defeat. And all this they have done with knowledge before hand that such an act converted the Executive Department into a totally new and deadly hostile Government to all our rights, interests and honor. Therefore,

Resolved, That the State of Georgia ought not, and by our consent shall not, be subjugated to such tyranny.

Resolved, That we cherish for all good citizens, (among whom are not the defenders or supporters of Lincoln, or his apologizers), the highest degree of respect; and we offer to them an oblivion of all past party differences, and with them would counsel for our rights, our interests and our sacred honor.

Resolved, That Georgia has the right peaceably to secede from the Union, and just cause exists for the exercise of that right.

Resolved, That we give our hearty commendation to the noble and manly measures being enacted by our Governor and General Assembly, to put our State in a fit attitude to do her duty in the crisis precipitated upon us; and for that purpose we recommend the call of a convention of the people.

Resolved, That we cheer our citizens in making Spalding county a camp of "Minute Men," to fly to the support of the rights of the South.

Resolved, That we heartily endorse a series of resolutions recently passed by the citizens of Bibb county, and adopt them as a part of our own.

Resolutions from the county of Elbert, presented by Mr. Clarke:

We, the citizens of Elbert county, having met together to take into consideration the present dangerous and critical condition of our Federal affairs, and our relations with the abolition States, express and publish the following as our views and opinions of the present emergency:

The election of Lincoln as President, and Hannibal Hamlin as Vice-President of these United States, by large and decided majorities in the abolition States, and by a vote and party purely sectional and hostile to the interests, rights, honor and safety of the State of Georgia, speaks a voice of warning and defiance which a prudent people will not fail to hear, and a brave people will not fail to act upon. This hostile party has come into power with principles avowed, which being fairly summed up, amount to this: that the negro is by nature the equal of the white man and ought by law to enjoy equal civil, political and social rights. Our duty to ourselves and our posterity demands that we should meet such a party and a government pledged to such

principles, with a firm, determined and effectual resistance. To fail to do so would disgrace us in the eyes of mankind; would disgrace the ancestry from whence we sprung, and would go far to justify the fate which our enemies hold impending over us. We, as we have always been, are willing to abide the Union which our fathers made, so long as it is compatible with our honor and safety, and no longer. We are able to defend ourselves, and we are not willing to have our political, civil, religious and social rights destroyed and crushed. In the issue which the abolition States have forced upon us, we cannot see where we have in the least been unjust. They have refused to give up fugitives from justice, who have been guilty of the most atrocious crimes in relation to our slave population—they have refused to give up fugitive slaves, and both are plainly commanded in the Constitution which all their officers are sworn to support. They have made it a penitentiary offence if our citizens assert their rights to fugitive slaves, peaceably in the courts according to the forms of law, an act of atrocious bad faith, not paralleled in the government of any other country on earth, civilized or savage. They have insultingly asserted their power to rule over us by the votes of a majority, and which votes they swell by the negroes they have stolen from us. They have shot down and murdered our citizens in pursuit of their rights, peaceably according to law. Under all these multiplied wrongs, we have been patient and hopeful—have not revenged ourselves, have instituted or countenanced, no scheme or plan to disturb the peace of the abolition States or injure their people or property. Longer forbearance would not be a virtue without immediate preparation for redress and protection. Therefore,

1. *Resolved*, That the crisis which we are in the midst of, and the dangers which hang over us, compel us to proceed at once to obtain ample indemnity for the past and security for the future.

2. That if we remain in the Union we ought to obtain speedy and sure guarantee for our rights, safety and honor; and failing in this, we ought to resume our sovereignty as a State, and declare our separation and independence of the Federal Union.

3. That for the purpose of uniting all our people, we are willing that sufficient time, (to be judged of by the State Convention), be allowed to try any means that may seem just, wise, and proper, to obtain our rights in the Union.

4. That if this time be extended longer than the fourth of March next, we hereby declare it to be our will, and so instruct our delegates in Convention, that from and after the fourth of March next, the Federal Government should not be allowed to exercise any of its functions, nor execute any Federal law within the jurisdictional limits of the State of Georgia until we do obtain indemnity for the past and security for the future from the abolition States, and the Federal Government; and we hereby instruct our delegates in Convention to vote for and obtain, if possible, such laws and ordinances in said Convention as will secure us from all exercise of Federal power, and the operation of Federal law, until such indemnity and security are obtained.

5. To carry out these principles, we hereby nominate Luther H. O. Martin and John C. Burch to represent us in Convention.

Resolutions from the county of Fulton presented by Mr. Thrasher:

1. *Resolved*, That we, the citizens of Fulton county, without distinction of past political parties, unite in petitioning the Legislature now in session, to provide by law, for the election of delegates from the several counties of this State, to a Convention empowered to take into consideration the state of our national relations.

2. *Resolved*, That we approve of the recommendations of the Executive in his special message, "for the arming of the forces of the State at the earliest practicable period" that she may be prepared for any emergency calling for the vindication of her rights or her honor.

3. *Resolved*, That we recognize the sovereignty of the several States of this Union, and consequently the right to withdraw therefrom without let or hindrance, from any other State or from the United States.

4. *Resolved*, That in the opinion of this meeting, the only adequate remedy for the State of Georgia, is *secession from the Union*.

5. *Resolved*, That copies of these resolutions be forwarded to our Senator and Representative in the Legislature.

Resolutions from the county of Thomas presented by Mr. Whaley:

Whereas, The election of Abraham Lincoln to the Presidency and Hannibal Hamlin to the Vice-Presidency of the United States by an exclusively sectional party,

hostile to the interest of every Southern home, has precipitated upon the South a direful issue, which she has long tried to avert for the sake of preserving the integrity of the Union, but which is now upon her, imperiling her peace, prosperity, and happiness, we, the citizens of Thomas county, convened without distinction of party, do concur in the following resolutions:

1. *Resolved*, That we regard the said election only as a step taken by the Republican party, to consummate its grand scheme, for the abolition of slavery throughout the entire Southern States, and that we prefer to meet that step now with effectual resistance.

2. *Resolved*, That the exigency of the times requires a thoroughly organization and arming of the forces of the State and that, be the cost what it may, we will bear our proportion cheerfully.

3. *Resolved*, That to devise further and more effectual mode of redress, wisdom dictates the calling of a Convention of the people, and that we stand ready to endorse whatever they may do in such a capacity.

4. *Resolved*, That the preservation of this Union as it now exists, is of far less moment with us, than the preservation of our honor and our rights, and that the temporizing policy hitherto pursued towards the spirit and temper of abolitionism, by the South, is no longer the policy that she ought to pursue.

5. *Resolved*, That these resolutions be considered as instructions for our Senator and Representative in the General Assembly of the State of Georgia, and that

copies of the same be forthwith forwarded to them to be laid before the Houses of which they are respectively members.

6. *Resolved*, That we further recommend that the several Patrol Commissioners in the different districts, together with two other citizens in each district, to be selected by said several Commissioners be appointed Commissioners of Police for the several districts in the county, whose duty it shall be to appoint Committees of Police in the several districts to perform police duty in the districts to which they belong; and a majority of said Commissioners shall be competent at all times to act.

Resolutions from the county of Fayette, presented by Mr. Underwood:

1. *Resolved*, That we, a portion of the citizens of Fayette county, without distinction of party, are opposed to the election of Abraham Lincoln as President of the United States, and that we are unwilling to submit to his administration.

2. *Resolved*, That we are in favor of calling a Convention of the people of Georgia, as early as possible, to provide the means and determine upon the mode of resistance to Black Republican rule.

3. *Resolved*, That we recommend that a copy of these resolutions be forwarded to our Senator and Representative in the State Legislature, with the request that they be published in the Milledgeville papers.

Resolutions from the county of Ware presented by Mr. Cason:

1. *Resolved*, That we recognize Georgia as our country—that right or wrong, we are for her, and with her, in weal or woe; and that we believe the day has come for her to resume the powers delegated to the General Government. If we cannot be equals under the compact of our fathers, we will never submit to be inferiors.

2. *Resolved*, That we heartily approve and endorse the action of the Savannah meeting on Thursday night last, and adopt the resolutions of that meeting as our own, and that we request our Senator and Representative to aid in giving effect to them by legal enactment. And that we entirely approve the views of the Governor in his recent special message to the Legislature on Federal Relations, Retaliatory Legislation and the right of Secession.

3. *Resolved*, That the election of Abraham Lincoln and Hannibal Hamlin to the Presidency and Vice-Presidency of the United States, ought not to be and will not be submitted to.

4. *Resolved*, That we request the Legislature to announce this opinion by resolution, at the earliest practicable moment, and to communicate it to our Senators and Representatives in Congress, and to co-operate with the Governor in calling a Convention of the people to determine on the mode and measure of redress.

5. *Resolved*, That we respectfully recommend to the Legislature to take into their immediate consideration

the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interests of the State consequent upon the present political emergency.

6. *Resolved*, That we respectfully suggest to the Legislature to take immediate steps to arm and organize the forces of the State.

7. *Resolved*, That copies of the foregoing resolutions be sent without delay to our Senator and Representatives in the General Assembly of the State, who are hereby requested to lay them before the Houses of which they are respectively members.

Resolutions from the county of Hart presented by Mr. Holland:

Whereas, The declaration of principles upon which our forefathers adopted the Constitution, as the basis of the Union, was as follows: "To establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity." The State of Georgia has ever regarded this compact as sacred, and with sufficient conciliation and forbearance, has endeavored to defend and perpetuate its principles. She has asked for nothing more than its plain guarantees, and could not honorably be contented with anything less.

And, *Whereas*, A party has arisen at the North, founded in bigotry and fanaticism, whose sole ambition is directed against the institutions of the Southern States,

and have declared an irrepressible war against Constitutional rights. With fearful rapidity they have ascended into power in the Northern States, whilst quite a number of their Legislatures, although solemnly sworn to support the Constitution of the United States, have, with impious hearts, and polluted hands, defiled its fair pages, and nullified the plain provision of that instrument, which constituted the bond of union between our forefathers, and transmitted to us, their posterity, as the palladium of our liberties. With armed mobs they have invaded our territory, incited discontent and insurrection among our slaves, disturbing our peace, destroying our property and jeopardizing the lives of our wives and children. Such is the object and part of the record of that party which is soon to take possession of the Government, by the election of its representative to the Presidential chair. Therefore

Resolved, That the election and inauguration of Abraham Lincoln and Hannibal Hamlin to the Presidency and Vice-Presidency of the United States ought to be resisted by the people of Georgia and of the South.

Resolved, That the time, mode and measure of resistance should be left to a Convention of the State.

Resolved, That this country, irrespective of party, meet in Convention on the first Tuesday in December next, for the purpose of selecting candidates to represent us in the State Convention.

Resolutions from the county of Clark, presented by Mr. Delony:

The election of Lincoln and Hamlin to the Presidency and Vice-Presidency of the United States, has brought on a crisis in the Southern States which demands their firm, united and determined action.

To be controlled by a party strictly sectional, and whose principles and legislation are hostile to our interests, our rights and our safety, is not to be tolerated. A union so destitute of fraternity and good fellowship, as ours has now become, is not worth preserving; therefore

Resolved, That this meeting concur in the opinion that the Legislature of Georgia, now in session, should call a Convention of delegates to meet and determine on the mode and measure of redress.

Resolved, That in our opinion the Convention when assembled having determined on the course of action proper to be taken by the sovereign State of Georgia, should earnestly invite co-operation of our Sister Southern States to unite with us in forming a Confederation on the basis of our present Constitution.

Resolved,. That we recommend in the selection of delegates to the proposed Convention that party feeling be eschewed, and that all parties be represented by their wisest and most discreet men.

Resolved, That in our opinion the Governor and Legislature should take every care and precaution to place the State in a position to meet any emergency that may arise.

Resolved, That we remember with gratitude, and shall ever cherish the remembrance, the noble efforts of the friends of Constitutional Equality, throughout the Northern States who co-operated with us in an honest effort to save the Government from falling into the hands of fanatical traitors to the Constitution.

Resolved, That we do in an especial manner return our heartfelt thanks to the State of New Jersey which so far as we know is the only non-slaveholding State which has voted against the Black Republicans. All honor to her! "Among the faithless, faithful only she."

Resolutions from the county of Floyd, presented by Mr. Alexander, also by Mr. Harden of Cass, as having been adopted at a meeting of his constituents.

Whereas, the abolition sentiment of the *Northern States*, first openly manifested in 1820, has for the last forty years, steadily and rapidly increased in volume, and in the intensity of hostility to the form of society, existing in the *Southern States*, and to the rights of these States as equal, independent, and sovereign members of the Union; has lead to long continued and ever increasing abuse and hatred of the Southern people; to ceaseless war upon their plainest Constitutional rights; to an open and shameless nullification of that provision of the Constitution intended to secure the rendition of fugitive slaves, and of the laws of Congress to give it effect; has lead many of our people who sought to avail themselves of their rights under these provisions of the laws and the Constitution, to encounter fines, imprisonment and death;

has prompted the armed invasion of Southern soil, by stealth, amidst the sacred repose of a Sabbath night, for the diabolical purpose of inaugurating a ruthless war of the blacks against the whites throughout the Southern States; has prompted large masses of Northern people openly to sympathize with the treacherous and traitorous invaders of our country, and elevate the leaders of a band of midnight assassins, and robbers, himself an assassin and a robber, to the rank of a hero and a martyr, has sent forth, far and wide, over our section of the Union its vile emissaries to instigate the slaves to destroy our property, burn our towns, devastate our country, and spread distrust, dismay and *death by poison*, among our people; has disrupted the churches, and destroyed all national parties, and has now fully organized a party confined to a *hostile section*, and composed even there of those only who have encouraged, sympathized with, instigated or perpetrated this long series of insults, outrage and wrongs, for the avowed purpose of making a common government, armed by us with power only for our protection, an instrument, in the hands of enemies for our destruction.

Therefore, we, a portion of the people of Floyd county, regardless of all past differences and looking above and beyond all mere party ends, to the good of our native South, do hereby publish and declare:

1st. That Georgia is, and of a right ought to be a free, sovereign and independent State.

2d. That she came into the Union with the other States, as a sovereignty, and by virtue of that sover-

eighty, has the right to secede whenever, in her sovereign capacity, she shall judge such a step necessary.

3d. That in our opinion, she ought not to submit to the inauguration of Abraham Lincoln and Hannibal Hamlin, as her President and Vice-President; but should leave them to rule over those by whom alone they were elected.

4th. That we request the Legislature to announce this opinion by resolution, at the earliest practicable moment, and to communicate it to our Senators and Representatives in Congress, and to co-operate with the Governor in calling a Convention of the people to determine on the mode and measure of redress.

5th. That we respectfully recommend to the Legislature to take into their immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interests of the State consequent upon the present political emergency.

6th. That we respectfully suggest to the Legislature to take immediate steps to organize and arm the forces of the State.

7th. That copies of the foregoing resolutions be sent, without delay, to our Senators and Representatives in the General Assembly of the State, who are hereby requested to lay them before the House of which they are respectively members.

Resolutions from the county of Habersham presented by Mr. Keeling:

We have arrived at a point in our history when we can no longer be passive. When Georgia entered into the Confederate alliance, she, like all her sister States, was one of the sovereigns of the earth; an independent State. That sovereignty she has never parted with. The alliance of union was formed for the more certain security of all the rights, of all the States, entering voluntarily into the compact.

The purpose for which the great partnership was formed, the agencies by which it was to be carried out, and the powers of the agent, (the Federal Government) were all written down in the articles of agreement, which we call the Constitution. The agents appointed to carry out the agreement of the high contracting parties, were to be a President, a Congress, and a Supreme Court. The powers delegated to these, were clearly set forth in the instrument. The sovereign contracting parties retained their sovereignty, and all rights and powers not delegated by the agreement, and specified therein. The time which this alliance was to last was unlimited, it was intended to be perpetual. As we are not a consolidated nation, but a confederacy of sovereigns, we can only maintain our equality, and our independence by a strict and jealous maintenance of our several State and sovereign rights; and by a strict and total non-interference by any one State, with the domestic concerns of another. This is true alike of men, of families, of neighbors, and of Governments.

A portion of the contracting parties to our union,

have not only failed and refused, to be bound by, and comply with, the agreement, on their part, but have declared an irrepressible and undying hostility to the compact of Union, and to our rights, under it, and reserved; and to ourselves as a people.

We have remonstrated in the Federal Councils and out of them. In Congress, by our State legislatures, by our State Executives, by Conventions of our people, by resolves, and through the public press, against their consent, unjust and open violation of our rights. Their interference with our domestic concerns, which we at first looked upon as but the misguided fanaticism of a few—has grown, and increased and strengthened, until it has reached a dictatorial usurpation, and they now arrogantly and defiantly tell us, that they have the power, and that by the force of numbers, they will compel us to submit to their violation and repudiation of the Constitution, and of our rights.

They have by their legislative assemblies enacted laws, now of force upon their statute books encouraging their people to steal our property—and to fine and imprison our citizens if they entered their States and attempt to recover their property thus stolen.

They openly, practically, and avowedly, repudiate, and refuse to be bound by the laws of Congress, the decisions of the Supreme Court of the United States—or their *oaths* to support the Constitution. We are to now have a Northern sectional administration to govern us, in the elevation of which to power, fifteen States of this Union has not had one single vote; and which is to be placed in power over us; by the aid of nearly 20,000

negro votes. The constitution made to secure to us the vital and sacred right of self-government, is thus wantonly, and openly violated by elevating to the right of suffrage, and *citizenship*, and *equality* with us, a race of beings, never contemplated as citizens by the Constitution, and who, by such elevation to equality, will hereafter hold the balance of power in all Federal elections.

While we do not question the equality of this degraded race with those who place them on a level with themselves, we will never submit to their having a voice in governing us, or selecting our rulers or public servants. A man thus selected is no officer of ours. They have thus shown, and declared themselves, no longer bound by the contract of Union, but hostile to it, and have repudiated it, and set it aside—excepting only that they are willing to receive from us all its advantages and benefits without being bound by its guarantee of our rights. *They* have thus rendered us no longer “*States United.*”

A contract broken and unkept by one of the contracting parties, absolves all other parties thereto, from the engagement.

We love the Union formed by our Fathers. We glory in the Constitution planned by their wisdom, and purchased by their valor. We received it fresh from their hands, and as the result of an experience, a wisdom, and a patriotism, refined in the crucibles, and tried by the fires of the revolution. They entrusted it to our keeping to be transmitted to our posterity as a bond of perpetual union.

We will not be recreant to our trust. We will not be

unworthy and degenerate sons. We will defend, we will protect that Constitution. This we can only do by preventing its violation, and maintaining its guarantees, and our rights and equality under it.

When rights are violated, and the most sacred compacts disregarded and set at naught. When the bond of our Union is declared by fanaticism to be "a league with the devil, and a covenant with death." When clouds lower, and dangers threaten—those who direct the ship of State should guide with a steady hand—Coolness, Calmness—firmness, should rule the hour. As true and worthy Georgians let us keep our eyes ever fixed steadily upon our noble State motto, Wisdom, Justice, Moderation.

This degrading faithlessness on the part of a portion of our confederate States before the civilized world, should not provoke, or induce rash or inconsiderate action on the part of the rest—but should stimulate, and inspire them, to a closer union with each other in the future—as they have proved faithful and true in the past.

Let the States which have placed themselves without the pale of the Union by their open repudiation, and violation, of the Constitution, and hostility to it—be at once declared out of its protection. As they repudiate, and will not be bound by its terms, they ought not to be protected by its provisions—but treated as foreign and hostile States.

Let the States which have ever faithfully observed and kept their bond of Union, assemble in convention,

re-affirm for themselves the Constitution of their Fathers, and treat all who are hostile thereto, as enemies in war, in peace friends.

Unity of action, can only be obtained by consultation, and a knowledge of the views of all sections, thus alone can harmony and effective action be had. Trusting in the wisdom and patriotism of our people, and believing as we do, in the right of all the people, to be not only heard but consulted, upon all questions effecting their rights and their liberties. And to the end that a fair expression of the public will may be obtained, and being united in action may be invincible.

Resolved, That we earnestly recommend the General Assembly of this State now in Session, to provide for, and call a Convention of delegates of the people, at as early a day as possible, for the purpose of devising the full and necessary means of maintaining our rights in the Union, or our independence out of it.

Resolved, That we fully concur in the Special Message of his Excellency the Governor, to the General Assembly on Federal Relations.

Col. Stanford offered the following resolution which was adopted:

Resolved further, That we recommend to our Senator and Representative in the present Legislature to support all and any measure that may be introduced therein, for more efficiently enforcing the Militia of this State, and the Patrol Laws thereof; for the purchase of Arms and ammunition, and for encouraging the formation of Volunteer companies and Regiments.

The preamble and resolutions were explained and supported by Col. McMillan in a short speech. Speeches were also made by Col. Stanford and Rev. Ketchum, appropriate to the occasion. When the preamble and resolutions were adopted by the meeting.

Resolved, That these resolutions be published and transmitted to our Senator, and Representative, to be laid before the General Assembly.

Resolutions from the county of Houston, presented by Mr. Greene of Houston.

We, citizens of Houston county, holding that the election of Abraham Lincoln to the chief Magistracy of the United States, has rendered it of the utmost importance that all Southern men should be harmonious in sentiment and untrammelled by all party name and views in the maintenance of all their rights, do cordially unite on the following resolutions:

Resolved 1st: That whereas by the election of Abraham Lincoln, the forms of the Constitution of the United States have been prostituted in order to elevate to the Presidency a man who has distinctly and emphatically avowed principles destructive of the vital interest, safety, honor, and happiness of the Southern States, and unequivocally declaring an "Irrepressible Conflict" against domestic slavery, thus embodying in him, on this all important topic to them, an eternal hostility to all their constitutional guarantees and safe-guards; it is, therefore, our deliberate sentiment, that his administration ought not to be submitted to.

Resolved 2d: That we instruct our Representatives, in Milledgeville, to request the Legislature to announce this opinion by resolution at the earliest practicable moment; and to communicate the same to our Senators and Representatives in Congress, and to aid and co-operate with the Governor in calling a Convention of the people to determine on the mode and measure of redress.

Resolved 3d. That we respectfully urge upon the convention of the State of Georgia, which may be held in pursuance of a legislative call, the propriety of giving an invitation to all the Southern States to hold a general convention in order to confer together, and to take council as to the most efficient, speedy and certain means of securing the final and permanent protection of their rights and safety on the subject of Slavery, and against the designs of the Black Republican party.

Resolved 4th: That we respectfully recommend to the Legislature, now in session, to take into immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial relations and interests of the State, consequent upon the present political emergency.

Resolved 5th: That we further heartily recommend to the Legislature, that a sufficient appropriation be made for the purpose of common defence.

Resolved 6th: That we cordially approve of the Governor's recommendation to the Legislature to take immediate steps to organize and arm the forces of the State.

Resolved 7th: That inasmuch as, whilst we remain members of the Federal Union, we rely upon the Con-

stitution of the United States, as the great fortress of our rights; we are opposed to all retaliatory legislative measures violative of that instrument.

Resolved 8th: That our thanks are due, and are hereby tendered to those noble men of the North, who attempted at the ballot box, to roll back the tide of Black Republican fanaticism. They failed but we should ever recognize them as brothers, and shall expect their assistance in the great struggle which has already begun.

Resolutions from the county of Troup, presented by Mr. Humber, with a protest in regard to the position that the *mere* election of Lincoln is a just cause for resistance.

WHEREAS, many of the States of the North have enacted laws practically nullifying the Fugitive Slave Law, and violating the Constitution of the United States, which required the rendition of fugitives from service. And whereas books are published amongst the people of the North by subscription of, and under the sanction and recommendation of, Governors of States, members of the Legislature and of Congress, preachers, and other representative men, advocating incendiarism and raid and warfare, by every means, on the peace, property and safety of the people of the South. And whereas, laws too have been passed, and others are impending, giving preference by regulation of commerce and revenue to the ports, enterprise, mechanical manufacturing, and navigation interest of some of the States over those of others. And whereas, it has been declared in Congress, State

legislatures, conventions and other assemblies, that no more slave States shall be admitted into the Union, and that the South must resign all claims in the common territory of the Union. And whereas, so rife and popular are the sentiments of hostility to the Southern States and their institutions, in the Northern States, as indicated by these acts and others equally wrongful, which we do not now enumerate, that a purely sectional party there has been enabled to succeed in electing Abraham Lincoln, under forms of law, upon an express declaration of an irrepressible conflict between the people of the North and the people of the South. And whereas, these facts together with the history of Kansas, and recent occurrences in Virginia, Texas, and other Southern States, admonish us that we should act at once—act for the preservation of our liberties, our equality and our security. Equality in the Union, or equality and independence out of it, is the only true ground for Southern men to occupy. This is our calm and deliberate conviction. We do not require of others more than what is just. We will not submit to any measure, act or policy that denies to us, or to our posterity, ample justice and established equality. Therefore,

Resolved, 1st. That we unqualifiedly condemn the election of Abraham Lincoln and Hannibal Hamlin to the Presidency and Vice-Presidency of the United States, because they have been elected by a sectional party whose aims have been, and still are, to destroy the equality of the States, of the Government, and that their election should not be submitted to by the Southern people.

2d. As law-abiding citizens, believing in States rights and State sovereignty, we invoke the action of our

State Government. A convention should be held as early as practicable. For every injury to our rights, and infraction of the national constitution, that convention will decide "the mode and measure of redress." By the action of that convention we will abide in all events.

3d. Whereas, unanimity is desirable between Southern States in such action as they may see best to take, we recommend that a Southern conference or convention should be promptly held, and that every movement of the kind shall be in time to have its result before the 4th of March, 1861.

Resolved, 4th. That we respectfully recommend to the Legislature to take into immediate consideration the passage of such laws as will be likely to alleviate any unusual embarrassment of the commercial interest of the State consequent upon the present political emergency.

Resolved, 5th. That the appropriation of a million dollars by the Legislature, as a military fund for the ensuing year, meets our hearty approval; and we recommend the immediate adoption of such other measures as may be necessary for the efficient organization and equipment of the forces of the State.

Resolved, 6th. That copies of the foregoing resolutions be sent without delay to our Senator and Representatives in the General Assembly of the State, who are hereby requested at their earliest opportunity to lay them before the houses of which they are respectively members.

The report was read by sections, and adopted unanimously.

Resolutions from the county of Clay, presented by Mr. Cullens.

WHEREAS, the people of the non-slaveholding States, through the press, and from the pulpits, stump-orators and statesmen, have encouraged feelings of animosity, hatred and hostility to the South and her peculiar institutions, by indoctrinating into the minds of the popular masses the principles of abolition fanaticism. whereby they have succeeded in constructing a powerful anti-slavery party, whose avowed aim and purposes heretofore have been to prevent the extension of slavery into the common Territories of the United States, but who, now that they have obtained power in the Federal Government, have thrown off their hypocritical mask, and have openly and unqualifiedly declared, in the language of one of their leaders, (Hon. Wm. H. Seward) that the last slave-holder is born, and that negroes shall be the equals of the white race in a social and political point of view; and whereas, the South, in contending only for her just and equitable rights in the Union, believes that, under the Constitution of the United States, the institution of slavery is guaranteed and protected by that sacred instrument, and that the negro is inferior and subordinate to the white man, and that the same is property, and was so recognized by our forefathers, who framed the Constitution; and whereas, the Black Republican party, in many of the Northern and Northwestern States have, by their State laws, refused to surrender fugitive slaves to their owners, thus setting at defiance and criminally nullifying an Act of Congress, by declaring the same inoperative in their respective jurisdictions, and subjecting the owners of slaves, whose property escapes into

their States, to the heaviest penalty of fine and imprisonment, as common felons, if they pursue and recapture their property; and whereas, upon these distinct and atrocious issues, that infamous party have succeeded in triumphing over the rights of the South, in electing their nefarious leaders, Abraham Lincoln and Hannibal Hamlin, President and Vice-President of the United States, as sectional and anti-slavery candidates. Therefore, be it

Resolved, By the people of Clay county, here assembled, without regard to former party distinctions, That we ignore all party names and views, and declare ourselves emphatically and distinctly for the rights of the South, in or out of the Union.

Resolved, That the election of Abraham Lincoln and Hannibal Hamlin to the Presidency and Vice-Presidency of the United States, elected as they were by a sectional and anti-slavery party, and although elected by the letter, yet they are elected in violation of the spirit of the Constitution, and therefore ought not to become the President and Vice-President of the United States, and that the same ought not to be and will not be submitted to: that their stated policy is antagonistic to fifteen States of the Union, and that their election will inaugurate a state of things heretofore unknown in the history of the United States Government, viz.: the oppression of the stronger over the weaker section, with the avowed purpose of destroying \$3,200,000,000 of Southern property.

Resolved, That we request our Senator and Representative in the State Legislature to announce our opinions by resolution at the earliest practicable moment, and

to communicate the same to our Senators and Representatives in Congress, and to co-operate with the Governor in calling a convention of the people, to determine the mode and measure of redress.

Resolved, That our thanks are due and are hereby tendered to those noble and gallant men of the North who stand by the rights of the South, in the present critical emergency, and who, at the ballot-box, at the recent Presidential election, did their constitutional duty, even at the sacrifice of their popularity and interest at home.

Resolved, That we recognize them as friends and brethren, and shall continue to regard them as such so long as they maintain their principles and political integrity.

Resolved, That all the papers in Georgia friendly to our proceedings be respectfully requested to publish the same.

The above resolutions were read and adopted *seratim*.

Resolutions from the county of Bibb, presented by Mr. Anderson:

The original thirteen States of the United States were organized out of the thirteen distinct and separate Colonies of Great Britain, wholly separated and independent of each other. When they separated from the mother country, they did it as separate confederated communities, and were, in the treaty of peace, so recognized by the King, for he treated with them by name, as thirteen

distinct sovereign powers. These powers or separate nations, confederated and united by treaty and alliance, for their mutual defence, conceding to each other, as a whole, certain specified powers, but never surrendering the one to the other, or one part to the other part of the Confederacy, their sovereignty; hence they constituted United States, or Sovereign Confederate Powers, and of course absolute equals, without regard to size or population. The government which they formed for the confederacy was not only their agent to protect weak communities, not a government for their populations, where majorities ruled: for if it had been so, the six largest States would now be entitled to govern all the rest, for these have a greater population than all the balance united.

These sovereigns were composed solely of white men, and they formed governments only for white men.

Blacks were numerous amongst them all, but were everywhere regarded not only as servile subordinates, but as chattel property, and were so recognized by the laws of all and each of the Confederates, and so treated as commodities of commerce in the Constitution of the Confederacy and in all treaties between them and foreign powers. But, slave labor soon proving unprofitable in the inhospitable climate of the North, the slaves were transferred further South, and slavery was prohibited by the States North. And no sooner was this done, than these States commenced, and have continued their aggressions upon the States further South; and this they did, avowedly, to lessen the political power of the South, and enhance their own. This was boldly proclaimed by their great leader, Senator Rufus King, upon the floor of the

Senate. The men of that day were too magnanimous and manly to conceal their designs under the hypocritical mantle of philanthropy.

That the Southern people have suffered and are suffering from the North, wrongs too grievous to be borne, let *facts* be submitted to the just judgment of a candid world.

After the South had voluntarily surrendered to them the vast empire Northwest of the Ohio, they insisted upon the prohibition of slavery west of the Mississippi, and kept Missouri out of the Union until they forced the South, unwisely, to consent to a compromise of surrendering to them territory enough for twelve States, and retaining to herself territory only enough for three; and yet, after enjoying its benefits, they have ever since repudiated the obligation of that compromise, whenever it might enure to the benefit of the South.

Their citizens, without rebuke, and without punishment from their tribunals, have, for a long series of years, stolen and carried away our slaves; and when we have asked for redress, they have replied with mockery.

They have by their State Legislatures, nullified within their borders the most explicit injunction of the Federal compact, binding them to surrender fugitive slaves, and their Courts, have sustained such unconstitutional laws.

Their citizens have uniformly mobbed, maltreated, and, in several instances, put to death, Southern citizens, while seeking to reclaim their lost or stolen prop-

erty within their dominions, and in no case have the wrong-doers been tried or punished by their tribunals.

Their citizens have, in several instances, come within the slaveholding States, and stolen and carried away our slaves, and their Governors have refused to surrender, on demand, the felons, as fugitives from justice, on the ground that it can be no crime to steal a slave.

Sixty-eight of their prominent members of Congress have, without rebuke, subscribed for, patronized and encouraged the publication and the circulation of a book that recommends to the slaves the indiscriminate massacre of their masters, and the re-enactment of the horrors of St. Domingo upon our wives and daughters.

The notorious thief and murderer, John Brown, with his band of assassins, failing to effect such a massacre, and paying the penalty of the law with his life, is canonized as a saint by many of the presses, pulpits, and thousands of their citizens, and no mark of censure is branded upon them, but rather approbation and increased patronage.

They have driven our citizens by hired assassins, with Sharpe's rifles, out of our common territory, purchased with the blood and treasure of our citizens; and then, to deceive the world, have pretended such territory was not adapted to slave labor, when it is notorious that such labor is more profitable in States bordering on such territory than in any other part of the United States.

They have prohibited the common hospitality of civilized nations to our citizens traveling through or visit-

ing in their States, by taking from them their domestic servants who may be in attendance upon their sick families; while citizens from the North annually travel through and remain in the South, unmolested, with whatever servants they may prefer.

They have expelled our citizens from their most populous churches, as too impure for their communion.

They have crowned their long series of insult and wrong, by putting over us, without our aid, and in contempt of our protest and remembrance. a man—as President—whose sole claim to their popular regard is his avowed pledge to maintain an “irrepressible conflict” for our destruction.

Therefore it becomes our duty—a duty which we owe to ourselves, our country and our posterity—to arrest these aggressions, and take prompt and effectual measures for the protection of our rights. Therefore,

Resolved, 1. That the Senator and Representatives of the county of Bibb be requested, at the earliest possible day, to introduce into the Legislature of Georgia a bill for the speedy call of a convention of the people of the State, to take such action and advise such measures as will protect themselves and families from impending ruin.

Resolved. 2. That our Senator and Representatives be requested to introduce and support a bill for the procuring of sufficiency of good arms to every male citizen subject to military duty.

Resolved, 3. That we recommend to our fellow citizens of Georgia, in every county, to proceed at once to organize and arm themselves, as well as they may be able, for their protection against impending dangers.

Resolved, 4. That we will appoint, by our President. "Committees of Safety." to consist of six persons for each magisterial district of Bibb county, a majority of whom for each district may act. They shall devise and control measures of police for our safety, and for enrolling and organizing a body of "Minute-Men," for whom, in all respects they shall provide, or aid so to do. And, quarterly, or oftener, at such times as they may appoint, the respective committees of the districts, or their representatives, shall assemble, in whole or in part, as they may direct, as a general council for the country, which shall sit under a chief of Minute-Men, to be elected by the several councils, and removable at their pleasure. The Minute-Men shall execute the orders of the district committees, and of the General Council, and shall, when necessary, be provided with the proper means.

Resolved, 5. That it be recommended to every county in the State to organize in the same or a similar manner, and to publish their organizations, as we now order this, for notice to our friends and co-operators.

Resolved, 6. That these proceedings be published at Macon and Milledgeville, and copies be sent to each county in the State, and that the President appoint a committee of three to have this duly executed.

Resolved, 7. That a committee of five be appointed by Chair, to conduct a correspondence in this and other

States, and a committee of three, in each district, be also appointed to raise funds to defray expenses of printing and distribution and correspondence.

Resolved, 8. That meetings be held in each magisterial district, within two weeks, for the purpose of organizing according to the fourth resolution.

Resolutions from the county of Dougherty, presented by Mr. Ely:

Resolved, 1st. That it is the sense of this committee that retaliatory legislation is not the proper remedy in the present crisis.

Resolved, 2d. That the State of Georgia ought not to submit to the election of Lincoln and Hamlin, pledged as they are, to carry out the policy of the Black Republican party.

Resolved, 3d. That we recommend our members in the Legislature to vote for a law to call a Convention of the people at an early date, to whom should be referred the adoption of appropriate remedies for the grievances under which we suffer, and we hereby, as citizens of Georgia, pledge ourselves to sustain the action of that Convention.

Resolved, 4th. That in view of the necessities of the people of the State, pending the solution of the question before them, that the Legislature ought to remove the restrictions of the bank act of last winter so far as to permit a temporary suspension of specie payment on

their part, and thus lighten the burdens which must of necessity fall heaviest upon those who will be called on to maintain the honor and independence of the State.

Resolved, 5th. That we approve of the appropriations made by the Legislature, for the purpose of purchasing arms and munitions of war.

Resolutions from the county of Coweta, presented by Mr. McClenden:

We, the people of Coweta county, assembled without distinction of party, deem it our privilege and duty to express our opinions, in regard to the important matters that now agitate and disturb the public mind, throughout the slaveholding States. The right to secede from the Union whenever a State deems that she has sufficient cause, is a right possessed by every State as a part of her sovereignty, a right not parted with or yielded up at the time the States come into the Union, and which each State consequently possesses fully and completely.

It is not the simple fact of the election of a particular individual to the Presidency, of which we complain, and which we would make the cause of dissolving the Union, but it is the *design* of the election of Abraham Lincoln, the design that he has in view, and the design of the party which he represents, and that has elected him, and comes into power with him, of which we complain, and which, in connection with the fact, that if we remain in the Union the design can be carried fully into execution, which would justify all the slaveholding States in withdrawing

from the Union. We may judge of that design, first by nature and objects of the party electing him—a party established on the distinct issue of antagonism and hostility to the institution of slavery. The design of his election is evinced further by the declaration of the leading men and journals of his party, and by declarations of Abraham Lincoln himself, and by the platform on which he was run and elected, all of which establish the fact beyond a doubt, that the design and purpose of his election, is the total and complete overthrow of slavery in the Southern States. As much then as we value the Union, there are things which we value more—our honor and our rights. Therefore,

Resolved, 1st. That it is the solemn and deliberate conviction of our minds, that Georgia can not longer, with safety, remain in the Union; that she is impelled by feelings of interest and honor to withdraw from the Confederacy, and throw off the power of the oppressor, and to secure and establish for herself, with her sister Southern States, peacefully if she can, and forcibly if she must, that enjoyment of her rights and that independence to which she is entitled, but which has been denied her by the people of the Northern States.

Resolved, 2d. That we approve of the passage of a law by the Legislature of Georgia, calling a convention of the State to determine as to what course Georgia will pursue in reference to the election of Lincoln; and we advise that said convention be called to meet at an early day, so that it will have time to act, and place Georgia out of the Union, if it determines to do so, before the fourth day of March next.

Resolved, 3d. That it is the duty of all Southern men to forget the party lines that have heretofore divided them, and to unite as one band, in the defence of the rights of the South; and in determined and defiant opposition to a dominant, aggressive, fanatical, and heartless majority at the North.

Resolved, 4th. That we have full and explicit confidence in those of our fellow-citizens, born and raised in the Northern States, and those of foreign birth and origin, who are living amongst us and who identified in feeling and interest with us.

Resolved, 5th. That those conservative men in the Northern States that have battled for our common constitution and have shown themselves the friends of their whole country, by a willingness to grant to the South her equal rights in the Union, have our warmest admiration for their justice and patriotism, and we regret the necessity which will in all probability, divide them and ourselves into distinct and separate people.

Resolved, 6th. That copies of these resolutions be sent to our Senator and Representatives in the Legislature, with a request that they will lay them before both Houses of the Legislature.

Resolutions from the county of Cobb, presented by Mr. Lester:

Resolved, That ignoring all former party differences, in the opinion of this meeting, the time has arrived when Georgia is called upon, by every consideration that should

influence freemen, to let her sister States, and the whole world know, that she is determined no longer to submit to Northern aggression, but it is the duty of the State to take steps for withdrawing Georgia from the Union.

Resolved, That, in our opinion, secession is the most effectual mode of resistance, and will, at the same time, be found the most likely to maintain peaceful relations.

Resolved, That we approve the proposition, calling a State Convention; and we think that said Convention should assemble not later than the first day of January next.

Resolved, That a copy of these resolutions with the proceedings of the meeting, be sent to our Senator and Representative in the Legislature, to be laid by them before the Senate and the House of Representatives; and that they be instructed to use every endeavor to have their spirit carried out—especially as to the early time for the Convention to meet and act.

Resolved, That the proceedings be published in our city papers.

Resolutions from the county of Quitman, presented by Mr. Morris:

We, the people of Quitman county, ignoring all past party ties and differences, and taking into consideration the political affairs of our country, having met this day in county Convention, do cordially adopt the following resolutions:

Resolved, 1st. That the election of Abraham Lincoln and Hannibal Hamlin, by a sectional Abolition majority, overwhelming in its strength, is a declaration of war upon the rights, interests and honor of the South the weaker section, and also of a fanatical hostility to the institution of slavery.

Resolved, 2d. That in view of this fact, we recommend to our State Legislature to take immediate steps to call a Convention of the State, to take into consideration, the mode and measure of redress, that we earnestly request that there be a Convention of the people of the Southern States, or of as many of them as are willing to meet with us; but that Georgia settle the question for herself finally and forever.

Resolved, 3d. That whilst we earnestly desire and ask a co-operation of our sister Southern States, or any number of them that will meet with us, and ask them not to take final action on the subject of disunion, until a concert of action could be had, yet if any one of them shall secede from the Union on the slavery cause, before the meeting of such Southern Convention, honor and patriotism, require and demand that we shall not suffer a federal power coerce her into submission.

Resolved, 4th. That the Legislature of Georgia be requested to take into consideration, and adopt such measures as will best meet any demands our financial interests may require, by reason of the present excited condition of our political relations.

Resolved, 5th. That the Legislature be requested to take immediate and prompt action to organize and equip

the Militia of the State, by the passage of the bill introduced in the House by Mr. Ely.

Resolved, 6th. That a copy of these resolutions be forwarded to our Senator and Representatives in the Legislature, with a request that they be laid before the bodies of which they are respectively members, and that they be earnestly requested to co-operate into carrying into effect this expression of our opinions.

Resolved, 7th. That the proceedings of this meeting be published in the Times and Sentinel and Columbus Enquirer, and all other papers friendly to the sentiments contained in the foregoing resolutions be requested to copy.

Resolutions from the county of Walker, presented by Mr. Patton:

Resolved, 1st. That in the election of Lincoln and Hamlin to the highest offices in the gift of the people, by a sectional party, whose avowed principles are destructive to Southern institutions, we have good cause to apprehend, that our dearest rights are in imminent peril.

Resolved, 2d. That whilst we are not of the opinion, that the election of any man in accordance with the forms of the Constitution is sufficient cause to disrupt the ties which bind us to the Union; but still regarding as we do, the triumph of a sectional party, based upon deadly hostility to cherished social institutions as a political event of such ominous and perilous import, as to cause every lover of Constitutional Union to resist even to the last

extremity the first and last encroachment upon our Constitutional rights.

Resolved, 3d. That in our opinion Georgia's equality in the Union, or if needs be our independence out of it, can be maintained by firmly adhering to, and boldly sustaining her time honored principles, as clearly set forth in the Georgia Platform of 1850, with an additional resolution demanding the repeal in the Northern States, of those obnoxious laws which practically nullify the fugitive slave law, and virtually destroy one of the sacred compacts of the Constitution, and if our demands are disregarded and every method, which the wisdom of our Legislators may devise, should prove unavailing to effect their repeal, then to resist, even to disruption of every tie which binds us to the Union.

Resolved, 4th. That whilst we would deprecate any hasty or inconsiderate action by our State, yet having the utmost confidence in the virtue, wisdom and courage of her people, we pledge ourselves to stand to and carry out the will of her people, as expressed in convention assembled whatever it may be, provided their action is referred to the people, and endorsed by them.

Resolved, 5th. That we appoint Tuesday the 4th day of December for the purpose of nominating delegates to the Convention which is to be held the 15th of January, 1861, and whereas there have recently been three political parties in this county, we recommend that in the nomination of candidates for said Convention, we select one from each of the old parties.

On motion of C. M. Rhodes, the resolutions were unanimously adopted by the meeting.

On motion of D. C. Farriss, it was resolved that the proceedings of this meeting be published in the Chronicle and Sentinel and Augusta Constitutionalist, and that a copy of the resolutions be forwarded to our Representative and Senator.

Resolutions from the county of Sumter, presented by Mr Brown:

At a meeting of the citizens of Sumter, irrespective of party, held at Americus, on Saturday the 17th inst.. the following preamble and resolutions were unanimously adopted.

The price of liberty is eternal vigilance, and never was there a time in the history of our country, when vigilance was so much needed as now. We have reached a point in public affairs. from which we are forced to consider the most grave. delicate, and important question, which any people, at any time, is called upon to determine. Whether we shall stand still, and see the noblest government, ever bestowed by heaven upon mortals, stealthily undermined and overturned, and another substituted in its place, which our fathers would have spruned and scouted, or whether we shall counter work the hellish plot, and by all the appliance at our command, defeat the invaders of the Constitution in the Union, or betake ourselves to dissolution, and trust the fortunes of war, out of it. The advocates of a radical, and to us destructive change in the Constitution, and laws, are ostensible superior in numbers, and are now flushed with apparent success towards the accomplishment of their fell designs. They boast of

wealth, of ships, and of munitions of war, but if we are in the right, which we do not doubt, the God of battle will be on our side. The same sacred record which satisfies us, that we are morally and politically right on the main issue involved, assures us that the race is not always to the swift, nor the battle to the strong. Whatever is done should be done in accordance with that Wisdom, Justice, and Moderation, which we have adopted as our State motto, and we should sternly refuse to be embroiled or driven into measure, against the will of our people, and the convictions of their best judgment.

We must, if possible, present an unbroken front to the enemies, of our Constitution and laws. Let it be conceded that the mere fact, that Lincoln has been elected to the Presidency according to the forms of the Constitution afford, per se., no sufficient cause for dissolution, yet when this fact is considered in connection with past events, and along with the progress of hatred and agitation in the North, coupled with the other fact, that he owes his election, in part, at least, to the influence and votes of the open mouthed advocates of treason and insurrection, it ought not to be expected that the South can longer remain silent or inactive. It would be insufferable arrogance for Sumter county to dictate what shall be done in the present emergency, nor can the Legislature, now in session, usurp the right to determine what our people shall do.

A communication from Washington dated the 27th ult. affirms that Lincoln has been consulted by his friends, and that he has given the most solemn assurances, that his administration will be entirely conservative, that he descends to particulars, and says that the fuitive slave

law shall be rigidly enforced, that slavery in the District of Columbia shall not be disturbed; that no attempt shall be made to interfere in any way, with the inter-slave trade between the States, that no effort will be made during his administration to remodel the Supreme Court, that at least three cabinet appointments will be tendered to slave holders, and that neither Seward nor any of his radical "irrepressibles" will be admitted to all his counsels. This all looks fair enough, and under different circumstances would probably be deemed satisfactory. But as things now appear, Lincoln's promises can not, and ought not to arrest our preparations for all that may happen. And when we know, (thanks the far-reaching sagacity of the framers of our Constitution) that Lincoln has it not in his power to make a single cabinet minister, a foreign ambassador, a U. S. Marshall, or a Collector, or any other important officer, without the advice and consent of an opposition Senate; that whatever may be his wish or recommendation, not a solitary law of any kind can be enacted, repealed or modified, without the direction of both an opposition Senate and an opposition House of Representatives. No matter what construction he may be disposed to put upon any law, present or prospective, the authoritative exposition will devolve on an opposition Judiciary. We have then, three months to deliberate as to what shall ultimately be done, even before Lincoln can be inaugurated, and then we have all the above restraints thrown around him, to prevent him from mischief if disposed, superadded to his protestations that he will attempt nothing against his oath of office, and to our detriment.

These things are referred to, not to repress the utmost vigilance nor to gainsay the wisdom and pro-

priety of our own Executive recommendations in regard to Military preparations, but to simply show that we have time left us, for dispassionate, wise and considerate counsel and action. Such counsel and such action as will approve themselves to those who are to come after us: and to the enlightened judgment of all impartial minds. Whatever may be our individual opinions upon the case before us, we know that many of our ablest statesmen, in all parts of our Southern domain, believe that dissolution involves us in commotions, convulsions, servile insurrections, conflagrations, murders, civil war, ruin, anarchy, despotism and destruction. Whatever of all these it may involve, it still comes us to be prepared for the worst that can befall us. This is no time for crimination. It is a time to forget, and bury out of sight and out of mind among ourselves, all our party differences, our past feuds and party strifes and remember that we are brethren, that we all and each of us, have a common interest; and that we are imperilled by common dangers.

Our fears, our hopes, our aims are one,
Our comforts and our cares.

It is lawful even to learn wisdom from our enemies. Their apparent unity constitutes the larger portion of their strength. They agreed to overlook minor differences in order to effectuate their main design. The sentiment uttered by the greatest of men, is as true when applied to a separate State, as when applied to a nation: "United we stand, divided we fall." This is the language of him who was "first in war, first in peace, first in the hearts of his countrymen." It is worthy of a Christian Statesman, a Christian Warrior, and a Chris-

tian Philosopher. Intense additional weight is imparted to it, when we reflect that it is a simple reiteration of what had been said 1,700 years before, by Him who spake as man never spake, "If a kingdom be divided against itself, that kingdom can not stand, and if a house be divided against itself, that house can not stand." Let none dare, or think to say, that this is no time to advert to the inculcations of Holy Writ. It is most appropriate of all times for that purpose. Should the worst come to the worst, this is our fortress, this is our hope, this our strength.

Clothed with the panoply of God's truth, we become invulnerable, though our numbers be few, and our munitions of war be but trumpets and pitchers, and lamps, we should take no step, adopt no measure, to which we may not advert with satisfaction when we contemplate its justice and equality at the cannon's mouth and amidst the throes and agony of expiring life. This, more than all things else, would cause even our enemies to be at peace with us, or cause every right minded man, every man not positively infatuated, to desert the colors of our foes and unite with us. This will rally thousands to our standard who would otherwise be indifferent, or would take part against us. This will not only serve to assure our own hearts, amidst the serried ranks of opposing forces, but would carry consternation to the hearts of our opponents: the God of Battles would approve and give us victory. Let us never peril the best of political causes by intemperate zeal, harsh and reproachful speeches towards each other, and ill judged and precipitate action. But in all that we attempt, let us have conscience void of offence before God and man.

We may not justly boast of the purity of our own escrutcheon. Nay, verily, we have often and most grievously offended against God, and have justly incurred His righteous indignation and wrath. In the exercise of the distinguishing right of American citizens, viz.: the elective franchise, we have in numberless cases perpetrated shameless bribery, fraud, and corruption, and it well becomes us to repent as in sack-cloth and ashes, and implore the forgiveness of Heaven. But there are other crimes of deepest dye, that we never have committed, and God forbid that we ever should. We have never interfered with the domestic peace and fireside enjoyments of our Northern neighbors. We never sent emissaries among them, to array their stunted and half starved operatives in bloody conflict with their employers. We have never sought to arm the employees in their factories and rolling mills, with pikes and muskets, to butcher and murder the peaceful and unoffending.

We have never put torch and faggot into the hands of the brutal incendiary, and urged him to go forth and burn the houses of our Northern neighbors over their heads, in their defenceless hours of sleep. And when the incendiary has met a felon's fate, we have never canonized him as a saint and proposed to erect a monument to his memory, as a martyr. Worse than all, if worse can be, we have not counseled the midnight assassin to invade the security of sleeping innocence, and violate the sanctity of Beauty's tears.

All this hellish work has been done, and though some noble spirits have done what they could to resist the tide of fanaticism, they have been overpowered; and the perpetrators stalk abroad today with unblanched cheek and

like the staunch murderer, steady to his purpose. They seem determined to drive on the car of desolation and ruin over the whole of our slaveholding domain. That something ought to be done, and done with as much speed as is incompatible with wise and efficient action, no man among us ought to doubt. What specific steps are to be taken, must be referred to the sovereign people, in a Convention of Delegates, selected for that purpose by themselves. As they are to be the chief actors in the drama, and they and their children the beneficiaries or the sufferers by the result, the people themselves have the right to control whatever movement is made, and must be allowed to control it, over the heads of all immoderate and reckless demagogues, who may be found in our midst. Therefore,

Resolved, 1st. That in the judgment of this meeting, the wisest and best policy would be for the slaveholding States, all of whom are in equal peril with ourselves, to meet in Convention, confer together, deliberate upon, and settle what measures to be adopted for our mutual safety and protection. The election, for the first time in the history of the country, of a President by a mere sectional party, and its avowed ulterior designs, authorize the belief that this can now be effected without halting or hesitancy.

Resolved, 2d. That our Representatives at Milledgeville be instructed to vote for a call for a State Convention to be elected by the people, to meet and consider what Georgia shall do, in the present posture of public affairs, and that the action of said Convention be referred back to the people for ratification or rejection.

Resolved, 3d. That wrongs done us in the past, and those which are threatened in the future, require firm and united action for our relief.

Resolved, 4th. That if any means of satisfactory security to our rights in the Union, can be devised, we greatly prefer it, if not, it is our duty to go out.

Resolutions from the county of Milton, presented by Mr. Howell of Milton:

Resolved, 1st. That though we do not think the election of Abraham Lincoln, to the Presidency, of itself a sufficient cause for secession, yet the complaint in general terms, that the anti-slavery sentiment at the North has been made the element of political power, and that a large political party has been organized in the Northern States, the avowed purpose of which is, to prohibit the extension of slavery by Congress, and hostility to slavery generally; and that they have passed laws nullifying the fugitive slave law; thus violating our general compact, and denying to us our equal rights and privileges as American citizens. We think the time has now come, when we should demand redress for the wrongs we have suffered, and a guarantee against all future aggression.

Resolved, 2d. Although we agree that these encroachments on our rights should be resisted, and effectually resisted, we do not think secession is the proper remedy, but that it can be done in the Union, that we can secure and maintain our constitutional rights, if we will but make the demand for them, and for enforcement of

the federal laws, and in so doing we will no doubt have the co-operation of our numerous tried and faithful friends at the North.

Resolved, 3d. That we endorse the act of the Legislature of Georgia, in calling a convention of the people, to decide as to the mode and manner of redress, and that we instruct our delegates to said convention, to exert all their power against immediate secession, and that they act in accordance with Divine Injunction, and meet our enemies face to face, and make our complaints known to them, and require redress for the wrongs imposed on us.

Resolved therefore, That our delegates be instructed to use their utmost influence to procure the calling of a national convention, to convene as early as possible, at such time and place as may be agreed upon by that body, for the purpose of making a united demand on the part and in behalf of the South, for the enforcement of the federal laws and the repeal of those obnoxious laws passed by the Northern States, in violation of our federal laws. Let us demand redress for all our grievances, and a guarantee against all future agitation of the slavery question, and thereby allow to us our equal rights and privileges as citizens of the American Union, that of regulating our domestic institutions in regard to slavery, in such a manner as will best promote the interest of this great and prosperous section of the Union.

Resolved, 4th. That we endorse so much of the recommendation of his Excellency, Joseph E. Brown, in his special message, as relates to, and the act of the Legislature in providing means for placing the State of

Georgia, in an attitude for defence. *Believing* at the same time that the existing difficulties can be amicably adjusted in the Union, by the plan above proposed, with a little time, patience, and prudence, yet in the *improbable* event, of a failure of all honorable efforts to procure a peaceable and agreeable adjustment of the existing difficulties, we will then be prepared for any and all emergencies that may follow.

Resolved, 5th. That when the plan above proposed shall have proved a failure in securing to us our rights, and ample time shall have been given to the north States, to repeal their obnoxious laws, and refuse; we will then consider that they have severed the last tie that binds us to the Union, and we will contend for our rights at the sacrifice of our treasure and our lives.

Resolved, 6th. That we bury all past political differences, and unite as a band of brothers in one common cause, for the purpose of making the last and decisive effort to avert the calamities with which our once happy country is now threatened, and let us invoke the blessing of Heaven upon this great effort for our constitutional liberty.

Resolved, 7th. That we remember with gratitude, and will ever cherish the remembrance of the noble efforts of the friends of constitutional equality throughout the Northern States, who co-operated with us in the earnest effort to save the Government from falling into the hands of fanatical traitors to the constitution.

Resolved, 8th. That we consider the policy of some of our Senators and Representatives in Congress, in

deserting their seats and leaving the same, without in our estimation a justifiable cause in so doing, weakening the conservative strength of our national council.

Resolved, 9th. That this meeting recommend the Legislature immediately to elect a United States Senator, to fill the vacancy in the Representation of this State.

Resolved, 10th. That the proceedings of this meeting be published in the National American, and Southern Statesman, and that we request all conservative papers to copy.

Resolutions from the county of Butts, presented by Mr. Harkness:

Your committee to whom was entrusted the preparation and presentation of matters for your consideration, respectfully report that the past history and private condition of our Federal relations satisfy us that the argument is exhausted, that the time for decisive action is at hand, that he who dallies is a dastard, and he who doubts is damned.

Resolved, 1st. That we entertain no doubt that Georgia has the right peaceably to secede from the Confederation of American States whenever her people, in solemn Convention assembles, for causes satisfactory to themselves, shall determine so to do.

Resolved, 2d. That we believe the wrongs and outrages perpetrated against the Constitutional equality and sovereignty of Georgia, and her sister States of the

South, by the fanaticism of the North, in the past, considered in connection with the present defiant position of that fanaticism as demonstrated by the recent election of Abraham Lincoln, amount to sufficient cause for her and their secession, and it is now the solemn and imperative duty of Georgia to call, at the earliest practicable date, a Convention of the people, to decide for themselves whether or not she is now ready to disrupt the ties that bind her to her oppressors.

Resolved, 3d. That we here today calmly, and dispassionately, pledge our lives, our fortunes and our sacred honors, to the defence and maintenance of the equality and sovereignty of Georgia, whether in or out of the Union.

Resolutions from the county of Randolph, presented by Mr. Coleman:

We, the citizens of Randolph county, Georgia, ignoring all past political differences, and coming together as Southern men, in common cause, having a common interest, in County Convention assembled, do cordially agree upon the following Resolutions:

Resolved, 1st. That the election of Abraham Lincoln and Hannibal Hamlin to the Presidency and Vice-Presidency by a sectional abolition majority, overwhelming in its strength, is a declaration of war on the rights, honor, and interest, of the South, and of a settled fanatical opposition to the institution of slavery.

Resolved, 2d. That we respectfully request the Legislature of Georgia to call a Convention of the people of

the State at as early day as practicable, to take into consideration the mode and manner of our redress, and also request them to invite a Convention of the Southern States that have a common interest with us, or so many of them as will meet with us, for consultation: but in any event we are in favor of Georgia, in her sovereign capacity, deciding the question for herself, finally and forever.

Resolved, 3d. That we would respectfully invite our sister States not to take final action until the meeting of a Southern Convention, but, should any one or more of them dissolve their connection with the Federal Government on the question of slavery, honor and patriotism alike forbid that the General Government should coerce it or them into submission.

Resolved, 4th. That the Legislature be respectfully requested to take into consideration the financial condition of the country, and to pass such laws, as, in their wisdom, will best relieve the commercial and monetary affairs of the country during the exciting state of our Federal Relations.

Resolved, 5th. That we cordially approve the prompt action of this Legislature in taking steps to organize and equip the militia of the State.

Resolved, 6th. That our Senators and Representatives in the Legislature are respectfully requested to cordially co-operate in carrying out the spirit and intention of these Resolutions, and they are requested to lay them before the Houses of which they are respectively members.

SUBSTANCE OF REMARKS MADE BY THOMAS
R. R. COBB, ESQ., BEFORE THE
GENERAL ASSEMBLY OF GEOR-
GIA, NOVEMBER 12TH, 1860.

GENTLEMEN: I must return to you my thanks for the courtesy you have extended to me in opening this chamber for my use, and honoring my remarks by your presence. As I do not pretend to be the sagacious politician, or the experienced statesman, (having never, in seventeen years, made a political speech,) I can attribute this courtesy only to an honest desire on your part to hear what an humble citizen may say at this important crisis in our national affairs. My crude opinions may excite the ridicule of some, and the pity of others, but remember I claim no infallibility for my head, but simply sincerity for my heart. Those of you who know me, can bear witness that I have never in the slightest degree interfered in past political contests, and hence I have no disappointed ambition to satisfy—no personal wrongs to avenge—no party animosity to appease. While you, and others, have been engaged in urging the claims of the respective candidates for the Presidency, who received your suffrages, I have been publishing in Northern newspapers article after article, arguing, reasoning, urging, persuading, yea, begging our Northern fellow-citizens not to force upon the South the terrible issue of *Disunion, or Dishonor*. And, candidly, can I say to-night

that I would have illuminated my house with enthusiasm and shoutings, had either one of the candidates urged in Georgia been elevated to the Presidential chair.

Surely, then, my friends, you can yield me my claim to sincerity of heart. And now I admit allegiance to no party. I propose to serve no party ends. The truth is, there are no parties in Georgia. Heretofore, we have been divided on questions of National, not State, policy, and each of us have claimed before the people, national organizations and a national platform. The election of last week gave to the winds the claims of us all—and Democrats and Americans—Bell, Douglas and Breckenridge men—have all to confess this night, that as national organizations we are utterly powerless, and our national platforms have been with equal scorn rejected. Why cling, then, longer to empty names, the names so productive of discord and hatred? To-night let us bury the hatchet of controversy. The parties are all dead. let them be buried, and with them let us bury all the political and personal animosities which they have engendered, and as brothers, as friends, as Georgia's sons, let us come and take counsel together, now we shall avenge her wrongs, promote her prosperity, and preserve her honor.

In times like these, passion should not rule the hour; calm and dispassionate deliberation should be brought to the consideration of every question. Even the quick beating pulsations of hearts burning with a sense of injuries should be commanded to "be still," while we survey the past, fully appreciate the present, and peer thoughtfully into the future; avoiding the impetuosity of rashness, and the timidity of fears as well, let us invoke all our human wisdom, and light also from on

High, to guide us in our decision. But once decided, let us act, and act like men, men who are determined to do or die.

It is not necessary for me, in addressing this audience, to rehearse the history of those acts which have so often stirred up our hearts to mutiny, and mantled our faces with shame. You know them as well as I—you have felt them as deeply too. Nor shall I presume you are less patriotic, or need my counseling voice to induce you to remember your homes, or your State. The practical issue before us is the triumph of the sectional Black Republican party of the North, and the duty of Georgia in the present emergency. To this I address myself.

Is the election of Lincoln a sufficient ground for the dissolution of the Union?

This may be viewed both as a legal and political question. As a legal question it resolves itself into this: Has he been elected according to the forms and spirit of the Constitution? *Formally*, he has been so elected, when he is so declared by the Congress of the United States. And literally he has been so elected, if the States casting their votes for him are entitled to be counted in the Electoral College; none of these States, however, casting a combined vote of eighty-five electors, have, by their local legislation, nullified a constitutional act of Congress, and refused to comply with the obligations of the compact when the same are distasteful to the prejudices of their people. As a lawyer, I am prepared to say that parties to such a contract, who have thus violated its provisions when onerous to them, are not entitled to its privileges when demanded by them. And that so long as the "Per-

sonal Liberty Bills" disgrace the statute books of these States, their electoral votes should not be counted in the Electoral College. But who shall decide upon this question? The constitution is silent, no provision being made for such a contest. The mode of counting the votes is specified, but no power of decision given to either the Senate or the House, or the General Congress convened. It is an omission in the fundamental law. Who shall decide? The Supreme Court? They have already virtually declared these acts violative of the Constitution, but our opponents and oppressors "spit upon" such decisions. Shall it be decided by force of arms in Washington City? Then civil war must begin there, to end only by the subjugation of one section of the Union. No, my friends, in the absence of any tribunal, the right to decide is one of the "reserved rights" of the States, and Georgia has the privilege of declaring to-day that for herself she decides these votes illegal, and *this election unconstitutional*.

But in another view of this legal question, this man is not chosen as our President. According to the spirit of the Constitution, these States have violated its provisions in this election:

First. This Constitution was made for white men—citizens of the United States; this Union was formed by white men, and for the protection and happiness of their race. It is true, that the framers gave to each State the power to declare who should be electors at the ballot-box in each State. But the fair implication was, that this right of suffrage should be given to none but citizens of the United States. Can it be supposed that our fathers intended to allow our national elections to be controlled

by men who were not citizens under the National Constitution? Never, never! Yet to elect Abraham Lincoln, the right of suffrage was extended to free negroes in Vermont, Massachusetts, Ohio, New York and other Northern States, although the Supreme Court has declared them not to be citizens of this nation. Yes! Our slaves are first stolen from our midst on underground Railroads, and then voted at Northern ballot-boxes to select rulers for you and me. The memory of our fathers is slandered when this is declared to be according to the Constitution.

But, *secondly*. The spirit of the Constitution has been violated in another particular in this election. Ours is a Republican Government, based upon the democratic principle that the majority have a right to rule. That is an anomalous government in history or philosophy, which provides for or allows the permanent administration of its powers in the hands of a popular minority. Surely such is not ours. Yet it is true, that counting the unanimous votes of the Southern States, and the large minorities in the North against the Black Republicans, a majority amounting to perhaps a million or more votes, have declared against Abraham Lincoln for the next Presidency. Is not this according to the forms of the Constitution? I may be asked. I answer, it is. But will my objecting friend answer, is it according to its spirit? I may be told that other Chief Magistrates have been elected by popular minorities. This I admit, but never against such an overwhelming majority, and never by a sectional party based upon the prospect and avowal of a continuation of the same result in every future election. The truth is, that we have lived to see a state of things never contemplated by the framers of the Consti-

tution. At that time, we were all slaveholding States—a homogeneous people, having a common origin, common memories—a common cause, common hopes—a common future, a common destiny. The wisdom even of our fathers did not suggest a future when we should be a distinct people, having different social organizations, different pursuits, different memories, different hopes, different destinies. And hence, while the Constitution is full of checks to protect the minority from the sudden and excited power of a majority, no provision was suggested for the protection of the majority from the despotic rule of an infuriated, fanatical, sectional minority. The experience of eight years in the Presidential Chair, and the almost more than human wisdom of Washington gave him a glimpse of the fatal omission thus made in the Constitution, and hence we find in that wonderful document—his Farewell Address—a note of solemn warning against such a perversion of the government, by the formation of sectional parties. What was thus dimly shadowed to his prophetic ken, is the fact of to-day, and will be history to-morrow. Is it not according to the form of the Constitution? I am asked. I answer, it is. Tell me, is it in accordance with the spirit and frame work?

Third. The preamble to the Constitution of the United States recites the six leading objects for which it was adopted, namely—“To form a more perfect Union, establish peace, ensure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.” Had I the time, it would be profitable to take each one of these objects and show how fanaticism had

perverted this Government from each and every one of the objects of its organization—how the “Union of hearts and hands” which existed prior to the adoption of the Constitution, had given way to sectional jealousies and mutual hatred—how justice had been denied under the quibbles of executive traitors, outraged both on the bench and in the jury-box—how the common defence had been construed into local advantage, and the general welfare been found in the fleecing of our producers for the fattening of their manufacturers. But these results are not specially attributable to the event we now consider—the election of Lincoln—and hence, I call your attention only to two of these objects—the ensuring of domestic tranquility, and the securing of the blessings of liberty. Recur with me to the parting moment when you left your firesides, to attend upon your public duties at the Capitol. Remember the trembling hand of a loved wife, as she whispered her fears from the incendiary and the assassin. Recall the look of indefinable dread with which the little daughter inquired when your returning footsteps should be heard. And if there be manhood in you, tell me if this is the domestic tranquility which this “glorious Union” has achieved. Notice the anxious look when the traveling peddler lingers too long in conversation at the door with the servant who turns the bolt—the watchful gaze when the slave tarries long with the wandering artist, who professes merely to furnish him with a picture—the suspicion aroused by a Northern man conversing in private with the most faithful of your negroes, and tell me if peace and tranquility are the heritage which this Union has brought to your firesides. Take up your daily papers, and see the reports of insurrections in every direction. Hear the telegram read which announces an-

other John Brown raid. Travel on your railroads and hear, as I did this day, that within seven miles of this Capitol, a gang of slaves have revolted from their labor, declaring themselves free by virtue of Lincoln's election, and say if such fruits as these grow on the good tree of domestic tranquility. Mark me, my friends, I have no fear of any servile insurrection which shall threaten our political existence. Our slaves are the most happy and contented, best fed and best clothed and best paid laboring population in the world, and I would add, also, the *most faithful* and least feared. But a discontented few here and there, will become the incendiary or the poisoner, when instigated by the unscrupulous emissaries of Northern Abolitionists, and you and I can not say that your home or your family may be the first to greet your returning footsteps in ashes or in death.—What has given impulse to these fears, and aid and comfort to those outbreaks now, but the success of the Black Republicans—the election of Abraham Lincoln.

I need hardly consume your time in adverting to the clause as to “securing the blessings of liberty to ourselves and our posterity.” What liberty have we secured by the Constitution of the United States? Our personal liberty is secured by the broadegis of Georgia's sovereignty. To her we never appealed in vain. What liberty does the Union give us? The glorious liberty of being robbed of our property, threatened in our lives, abused and villified in our reputation on every forum from the grog-shop to the Halls of Congress, libelled in every vile newspaper, and in every town meeting, deprived of all voice in the election of our Chief Magistracy, bound to the car of a fiendish fanaticism, which is

daily curtailing every vestige of our privileges, and by art and cunning, under the forms of the Constitution, binding us in a vassal age more base and hopeless than that of the Siberian serf. This is "glorious" liberty secured by a "glorious Union." And the election of Lincoln by a purely sectional vote, and upon a platform of avowed hostility to our rights and our liberty, is the cap-stone—nay, the last *magna carta*—securing to us these wonderful privileges. Is not all this according to the forms of the Constitution? I am asked. I answer, it is. But tell me, Union-loving friends, is this its spirit?

Fourth. Equality among the States is the fundamental idea of the American Union. Protection to the life, liberty and property of the citizen is the corner-stone and only end of Government in the American mind. Look to the party whose triumph is to be consummated in the inauguration of Lincoln.—The exclusive enjoyment of all the common territory of the Union, is their watchword and party cry. The exclusion of half the States of the Union has been decreed, and we are called upon to record the *fiat*. Will you do it, men of Georgia? Are you so craven so soon?

But protection—whence comes it to us? Dare you to follow your fugitive into a Northern State to arrest him? The assassin strikes you down, and no law avenges your blood; your property is stolen every day, and the very attempt to recover it subjects you to the insults of the North and the smile of derision at your folly, at home. A province of Great Britain now covers, with the protection of her flag, millions of dollars of your property and mine. Let a fishing smack from New Bedford be taken into a Canadian port, and the cry of British inso-

lence resounds through the land. A demand for redress is made, and the threat goes with it to let loose the dogs of war. And yet no Administration of the Government has ever yet been bold enough to even ask for the restitution of our property.—Nay, more, so cowed have we become that no Representative from the South has ever even complained of the wrong. But there is something more valuable than property, more dear than life. It is the good name a father bequeathed us, and the inheritance we hold dearest, to descend to our children. How is it protected? On the floor of Congress we are taunted with our weakness and our cowardice, and all the crimes of the calendar—murder, arson, rape, robbery—all compare not in enormity, we are told by our own rulers and law-makers, with that greatest of all sins, that most horrible of all crimes, the holding of slaves. Where, then, is our protection, and for what owe we allegiance to this Government? Georgia extends her sovereign arm over us, and our lives, our property, our liberty and our reputation are safe under her protection. Loyalty and fidelity have reason for their growth and food for their sustenance when we turn to this good old Commonwealth. But when we look to this Union—oh, tell me—why owe we allegiance to it? Long have I loved it. Blindly have I worshipped it. I bade selfishness avaunt, when my heart turned toward the Government of my fathers. I remembered only that it came from the minds and hearts of Washington, and Henry, and Adams, and Pinckney, and Madison, and Rutledge. I saw the glories of Bunker Hill, and Monmouth, and Saratoga, and Yorktown, clustering around it.—I recalled the story of her struggles as an aged ancestor who bled in her cause recounted it to infant ears around the winter's fire. I remembered a

father's instructions, and had witnessed a father's devotion, and I fell down and worshipped at a shrine where he worshipped before me, and dared not to inquire into the cause of my devotion. But when the cruel hand of Northern aggression aroused me from my worship, when it tore away the thin veil which covered the idol before me, I could but weep as the heart-strings were snapped from their attachment, though I woke to discover that I had been bowing before a veiled prophet of Mokannah, whose deformity and ugliness disgusted while they pained me.

Ten years ago, some of you, wiser than I was, warned me of my delusion, but I clung to my hope, when to you there was none, and tonight I give you the meed of praise for a clearer foresight, and a less blind devotion. But this very fact makes me charitable to them who may still bow at the shrine of the Union. It is almost cruel to dispel their illusion, but I can not help feeling that the time must come, and come quickly, when the veiled prophet shall say to them, as he has said to me—

“Ye would be fools, and fools ye are.”

Time warns me that I can not pursue this inquiry farther. As a legal question, I am compelled to decide that the election of Lincoln is in violation of the spirit of the Constitution of the United States. And am I told this spirit is too indefinite and shadowy a substance to be made the basis of resistance? And can there be a Georgian who will never resist so long as the form and letter of the Constitution is not broken? Let us inquire. The Inter-State Slave Trade is within the letter of the Constitution. Should Congress abolish it, will my objector submit? The amendment of the Constitution itself is

within the letter of that instrument. If it is so amended in accordance with its letter as to carry out Lincoln's announcement that the States must all be free, will my objector submit? Why not? Because these are violative of its spirit. Truly, my friends, in the words of inspiration, "the letter killeth, but the spirit giveth life." To the spirit, then, we must look, and a violation of that spirit renders this election unconstitutional.

I come now to consider this question in its *political light*, and it rises in importance much above the mere legal question.

I must confess that the mere election of a candidate to the Presidency, in a manner legally unconstitutional, does not in my judgment justify necessarily a dissolution of the Union. The wise man and the statesman, to say nothing of the patriot, will always weigh well whether "it is better to bear the ills we have than fly to others we know of." And, hence, arises the *political* question, does this election justify and require a disruption of the ties which bind us to the Union? As much as I would dislike the triumph of a purely sectional candidate upon a purely sectional platform, I am free to say I should hesitate even then to risk the consequences of a dissolution, provided that sectional platform *was upon issues not vital in themselves, or were temporary in their nature*. Such, would I conceive to be protective tariffs and home-stead bills—the acquisition of territory—peace or war with foreign powers. And if the election of Lincoln, unconstitutional though it may be, was upon a temporary issue, or a question not vital in importance, I should hesitate to declare it ground for Disunion. But, my countrymen, I can not so view the triumph of Black Republi-

canism. It is a question vital in itself, and by no means of a temporary character. To see it in its breadth and enormity, to see its dangerous proportions and its threatening aspects, it becomes necessary for us to go back a little in history, and to trace the slavery agitation as connected with our Government. Shortly after its organization, we find a petition from the Quakers of Philadelphia, asking the abolition of slavery. We see that petition treated by an unanimous Congress as the mere ebullition of religious fanaticism, and as it is laid on the table, we smile at the folly of the broadbrim followers of Fox. In a few years we find petitions accumulating from other Sects and Societies, until, finally, by an overwhelming majority, we find the House of Representatives refusing longer to listen to their fanatical ravings, and as the 21st Rule is adopted, we fondly dreamed that the cockatrice's egg would never be hatched. In a few years we find the floor of Congress desecrated by the ravings of Giddings and other abolitionists, and at the same time, in the Presidential contest, an abolition candidate is presented to the people of the North. But the Abolitionists in Congress are hissed at their ravings, and the miserable handful at the ballot-box only manifested their weakness, and we rested secure in our confidence in the protection of the Constitution.

But a few years more found the miserable demagogues and political leaders of the North, in their party excitement, bidding for this Abolition vote. Without real sympathy for the movement, we find them vying with each other in pretended zeal, until shortly we find the 21st Rule falling as a sacrifice before the demands of the fanatics. We find the parties in power more and more undecided in denouncing the treason, until finally

the great Whig party fell, demoralized, and at the North very much Abolitionized. We find church organizations, and great benevolent institutions, one after another, sun-dered and divided by the demon, which, once aroused, there was no power to allay. We find reason and argu-ment unheeded, the obligations of oaths and compacts disregarded, the very religion of God desecrated, His Bible denounced, His churches and pulpits polluted, and His children excluded from the communion table of their Master. And then, for the first time, we awake to the great fact that our lives and liberty are in jeopardy un-less great exertions for our safety are made. In the meantime, our slaves are stolen, the old remedies are proved useless, new provisions are demanded. The Post Offices become the vehicles for spreading insurrection, and new restrictions are required. Greater demands are made in Congress, and States rejected from the Union because Slavery is recognized by their Constitutions. Finally, the Slave Trade in the District of Columbia is attacked, and the Inter-State Slave Trade. The Wilmot Proviso is placed on all territory, and the South aroused to her dagger, demands security and peace. We all re-member the great Compromise measures of 1850. They were declared a finality, and the syren song of peace was sung in our ears. Some of us believed it, and we once more laid down in ease. Soon, however, a new question is raised, the monster shows himself again in the Halls of Congress, and once more we hear that the Union is saved and peace restored by the provisions of th Kansas-Nebraska Act. The other events are known to you. This Black Republican party is formed; Fremont is its candidate; let us crush it now, and the Slavery issue is dead forever. Such was the song. Great exertions are

made. Fremont is defeated, and we hope on for peace. There seems to be a lull in the storm. One of Georgia's distinguished sons voluntarily terminates his long public career, and as he bids farewell to his constituents, he informs us in a public address (honestly, I have no doubt), that the battle is over, the victory won, that he lays off his armor because there is no other foe to meet, and he shows to our willing ears what great things had been done for us, "whereof we were glad." But hardly had he reached his quiet home, ere the territory of Virginia is invaded by a lawless band under John Brown, and today you find him with his armor again buckled on, to re-save the Union once more—to re-deliver us from the fanatical devil. And now, after four years of argument and persuasion, and entreaty and remonstrance and warning, tonight, my friends, we find this demon master of our strongholds, this party, so long to be destroyed, more rampant and more triumphant than ever—with almost fabulous majorities in every Northern State—placing in the Executive Chair one of the most objectionable and fanatical of its leaders. Are we blind, that this retrospect shall teach us no lesson? Read upon the banners of this army, and see what are its objects and aims: "*No more Slave States;*" "*The Repeal of the Fugitive Slave Law;*" "*Relief from the Slave Power;*" "*The Irrepressible Conflict;*" "*No League with Hell.*" Look at its leaders, and see the heroes who deify John Brown; the mad preachers, like Cheever and Beecher; the Fourierites, led by Greeley; the Sowards and Sumners, and Hales and Fred Douglas. Look at its cohorts, and see their mottled ranks—free negroes and boot-blacks, coachmen and domestics, infidels and free-lovers, spiritual rappers and every other shade of mania and

folly. Search in vain among them all, for one gentleman like Everett, one sound conservative like Fillmore, one bold statesman like Cushing or O'Connor, one noble patriot like Buchanan, one daring leader like Douglas. Scan closely all its long list of speakers or voters as far as we can see them, and where is the man you would ask into your table, or with whose arm you would walk through the streets. *And yet these are our rulers.* To them we are called to submit. Let me rather have a king, for I can respect him; or an emperor, for I may cajole him; or an aristocracy, for they will not envy, and dare not hate me. Nay, let me die before I shall bow before such fanatics as these.

The question, then, is vital. Is it temporary? The history of its insignificant rise and rapid progress—the little cloud, no bigger than a man's hand, which has now overspread the whole heavens—the thunders which we hear too distinctly to be misunderstood—the insolence which even the prospect of power has given to craven cowards—that already they taunt us with timidity and threaten us with chastisement—aye, a hundred indications too plain to be mistaken, say to everything but stolid ignorance or blind fatuity, that this is but “the beginning of the end.” My friends, history and philosophy would have informed us years ago of the same truth, had we listened to their teachings. Fanaticism is madness, is insanitary. It has a zeal laudable in its earnestness, admirable in its honesty. Its error is in the false foundation on which it builds. Its danger lies in the depth of its convictions, which will not allow it to attend to reason, but makes it as “the deaf adder which will not listen to the charmers, charming never so wisely.” Its fountain lies deep in the human heart. Its bonds are

interwoven with many of the noblest principles of our nature. Hence, it ignores consequences, it overrides obstacles, it ruthlessly sunders the dearest ties of the heart, it takes affection from the lover, yea, it steels the mother against her own offspring, the creature against his God. We call it blind, because it can not see; we call it deaf, because it can not hear; we call it foolish, because it can not reason; we call it cruel, because it can not feel. By what channel, then, can you reach its citadel? Firmly planted therein, with every avenue closed to ingress, and yet every door of evil influence open to the bitter issues which flow without, the deluded victim glories in his own shame, and scatters ruin and destruction, in the mad dream that he is doing God's service. Such is the teaching of philosophy, and history, her handmaid, confirms its truth. The bloody minds of those who, with sinful hands, murdered the Lord of Glory, were never sated until the Roman legions sacked the city of David, and the Eagle of Rome floated over the ruins of the Temple. The fires of Smithfield never ceased to burn until the maiden Queen, with her strong arm and stronger will, sealed in the blood of Mary, the covenant of peace to the Church. The wheel of the Juggernaut never failed to crush the bones of infatuated victims, until the shaggy mane of the British Lion was drenched in the blood of Oriental imbecility. The bloody Crescent of the false prophet never ceased to behold the gory victims which Islam claimed, until on many a battle-field the redemption in blood came to rescue the children of Faith. The Ganges bore in its turbid waters the innocent victims of the delusion of mothers, until Britain assumed the position which God held to Abraham on the Mount, and staying the murderous arms, bade the well-spring of a moth-

er's love once more to gush from a mother's heart. Why should I continue the review? All history speaks but one voice. Tell me when and where the craving appetite of fanaticism was ever gorged with victims; when and where its bloody hands were ever stayed by the consciousness of satiety; when and where its deaf ears ever listened to reason, or argument, or persuasion, or selfishness; when and where it ever died from fatigue, or yielded except in blood. When you have done this, you may then convince me that this is a temporary triumph, and bid me hope on. Till you do this, I must listen to the teachings of reason, philosophy and history, and believe that Lincoln and Seward spoke the truth when they said, this contest is never ended until all these States are either free or slave.

Mark me, my friends. The only tie which binds together this party at the North is the Slavery issue. Bank and Anti-Bank, Protection and Free Trade, Old Whig and Old Democrat, have all come together. The old issues are ignored, forgotten. Abolitionism and Agrarianism are the only specialties in their platform. This Aaron's rod has swallowed up all the others, and upon it alone has the battle been fought and the victory won. And no man and no party can make terms or obtain quarter from these fanatics, except by bowing down and worshipping this Moloch. Even in this election, have not the Southern parties offered candidates on every shade of opinion, to this Northern horde, and have they not all been rejected with scorn? Did not Bell and Douglas and Breckenridge, one or the other, agree with them on every question except Slavery? Why were they rejected? Herculean efforts have been made. Argument and eloquence have been offered lavishly, and money

almost as lavishly, to bid off and buy up this motley crew. Scorn, contempt, insolence and contumely have been the only answer we have received. Can any man shut his eyes and still cry the syren song, "Hope on. Hope on?"

We have seen, then, that this election is *legally* unconstitutional, and that *politically* the issue on which it is unconstitutional is both vital in its importance and permanent in its effects. What, then, is our remedy? Shall it be the boy's redress of recrimination? the bully's redress of braggadocio or boasting? or the manly free-man's redress of Independence? This is a most solemn question, and no man should rashly advise his countrymen at such a time. For myself, for months, nay years, I have foreseen this coming cloud. I have given it all the study of which my mind is possessed. I have called my heart into the council and listened to its beatings. Nay, more, my friends, I fear not to say I have gone to the God I worship, and begged him to advise me. On the night of the 6th of November, I called my wife and little ones together around my family altar, and together we prayed to God to stay the wrath of our oppressors, and preserve the Union of our fathers. The rising sun of the seventh of November found me on my knees, begging the same kind Father to make that wrath to praise Him, and the remainder of wrath to restrain. I believe that the hearts of men are in His hands, and when the telegraph announced to me that the voice of the North proclaimed at the ballot-box that I should be a slave, I heard in the same sound, the voice of my God speaking through His Providence. and saying to His child, "Be free. Be free."

Marvel not then that I say my voice is for *immediate, unconditional secession*.

The suggestion for delay comes from various quarters. Good men, and true men, hesitate as to the time. Their counsel deserves attention. Their very doubts are entitled to consideration. Let me then trespass a little longer on your time, to answer the question, shall we delay?

What are their hopes, and on what are they based? I have shown that we can not expect this fanatical spirit to die, or be appeased. What then shall we look for? From one, I hear the suggestion that perhaps Lincoln may betray his party, and like Fillmore prove to be a conservative. Oh, shame! shame! shame! Is it come to this that the only hope of Georgia is in the treason of an abolitionist? False to his friends, can you trust him?—False to his friends, can you reward him? Can even the consolations of conscience be held out as an inducement to a perjured traitor? But suppose he did prove traitor, what then? Would not these blood-hounds only seek in Seward, or Sumner, or Hale, a less scrupulous and more faithful servant? And would not the very mortification of disappointment only whet more keenly their appetite for blood? From another, I hear the suggestion that the Senate can refuse to ratify his appointments, and thus he will be without a cabinet, and without an administration. What is this, my friends, but revolution and anarchy? We destroy one government without providing another. And more, and worse, we require our Senators to disregard their oaths to the Constitution, and **while within the temple to pull down its pillars**. True, like Sampson, they may destroy the Philistines, but like

Sampson, too, we shall share their fate. Better far, peaceably to withdraw, and let their God smile on them with prosperity, if He wills it, while our God shall bless us, who doing no man harm, seek only to worship in our own holy hill.

From another, I hear that we have both Houses of Congress, and hence, Lincoln is powerless. How blindly mistaken! The Executive branch of the Government alone can protect us. The President only can call out the army and navy. The President only can appoint Commissioners, and Marshals, and Judges, to execute the Fugitive Slave Law. The President only can protect us from armed invasions and secret incendiaries. I admit that it is so feeble that we can hope but little from it, even with a friend as President—with a foe, what can we hope? But I am told, suppose Lincoln, in his inaugural, pledges himself to carry out these laws. I would not believe him on his oath. Let them who can trust a Black Republican Abolitionist, hug to their bosoms the fatal delusion that we can hope for sweet waters from such a poisoned fountain. Moreover, why wait for two years when at their close we can hope for nothing? Will our hearts become braver by submitting to this rule? Will our arms become stronger by the paralysis of shame? Will our people be more unanimous when party spirit has enchained them by its bonds? The restive bullock chafes when the tender skin first feels the heavy yoke, but a few days hardens his neck, and the sober, patient ox receives uncomplainingly the lash and the goad as well as the yoke. Two years of shame may crush out mountains of patriotism. No man dares say now I love this Union for its blessings. Today, if the question was submitted to Georgia independent—shall we go into this

Union? ten voters could not be found who would choose such a league with death. Why should ten be found who would choose to continue this league? Ah! the cry of "Union" has been a tower of strength, and I fear that some, yes, many, fearing the effect on the people, will stand by the watchword after the citadel is in ashes. But, gentlemen, such leaders, do injustice to our people. They were loyal to their government while it was *their* government. When it became the mere tool of their enemies, they will sprun it with a unanimity which will overwhelm their slanderers.

None of these arguments or suggestions carry conviction to my mind. While hope of better things lived, I could be patient and hope on; but when hope died, darkness came, and the only gleam of light in the dark horizon which meets my eye, is from Georgia's star—independent—and if necessary—alone. But we shall not be alone. Our sister on the East holds out imploring arms to welcome us in our march. Our daughters on the West (Alabama and Mississippi) wait only for their mother to speak. Our neighbor on the South, to whom just now we are generously yielding a portion of our territory, begs for our counsel and our lead. Georgia, Empire State as she is and deserves to be, must be no laggard in the race. The head of the column is her birthright and her due. To the column's head let us march!

My friends, there is danger in delay. The North, flushed with victory, construes and will construe every indication of hesitancy into a dastardly fear—every voice for delay into the quakings of cowardice. The stern, unyielding look of the brave man makes the snarling cur sneak back to his kennel, but let the cheek blanch before

the foe, and the lip quiver, and the knees shake, and do you wonder that when you do stand your ground, the miserable cur is biting at your heels? Delay, therefore, invites aggression and destroys all confidence in our courage. Let Georgia speak now, and a Northern regiment will never cross the border line. Let Georgia delay, and they will make scourges to whip the cowards to obedience. Delay is dangerous, because now, we have at North a respectable body of men who sympathize with us in our oppression, and will not aid the oppressor. They are melting away like frost-work before the burning zeal of this fanatical sun, and ere long their own thinned ranks, and their inevitable contempt for our timidity will render them powerless as a barrier to Northern aggression. Delay is dangerous, because now the Army and Navy are in the hands of an Administration that recognizes our right to withdraw. On the fourth day of March next, the powerful arm of the Executive will be wielded by a foe as unrelenting as he is cruel. Delay is dangerous, because it demoralizes our position—takes away from our cause its justice in the eyes of the world—enervates the arms that are now ready to rise in our defence, and chills the hearts that are now burning with patriotic zeal. Delay is dangerous, because it keeps open our territory to the emissaries of the North—teaches us to weigh our honor in the selfish scales of interest, and drives back to die, the warm out-gushing feelings of wounded hearts.

Shall I be told that the country is prosperous, that the crops are good, that money is plenty, and the people feel not the iron heel of the oppressor? I will not answer by predicting a financial crisis, and ruin, and distress, and the crash of hard times upon us. I will not allude

to the difficulties already felt in financial circles, and the district, which like the barometer, ever indicates the coming storm. No, I have more confidence than you, my objector, in the people's wisdom. Behold on yonder ocean the leaking vessel.—See the indications of her fate in the gradual, slow but sure rising of the waters on her bows. On the upper, aye, *the upper deck*, behold the gay party basking in the warm sunshine and rejoicing in the gentle breeze. Do you tell me, when I warn them of their danger, and point them to the approaching billows, they will answer that they can not move, because the sunlight of Heaven is bright around them, and the zephyr fans sweetly their wearied limbs? No, never. They will weigh my evidence, they will examine into the hold, they will act as wise men before they are engulfed in the sea. Fear not the people! The coward may quake—a few luxuriating in ease may shut their eyes to their danger—many may be deceived, but the great heart of this great people will respond to the voice of reason, to the call of patriotism.

Shall I be told to wait for an *overt* act? What do you expect? What act will be overt? Are not the nullifying Personal Liberty Bills of nine States *overt*? Are not the daily thefts of our negroes by underground railroads, *overt*? Are not the national thefts of our national territory, *overt*? Was not the John Brown raid, invading the territory of the South, *overt*? Is not the election of these sectional candidates over a broken Constitution, *overt*? What is the overt act you wish? Does any man expect these wily, crafty lyers-in-wait, to declare the Constitution a nullity—or to march with bold tread over its fragments? They can bind us hand and foot, and sell us into slavery, and never commit such an overt act, and

every Statesman in the country can explain to you the process. Shall I be told that the present is an abstraction, and not a practical issue? The man that urges that, would be hard to convince that the abolition of slavery in the District of Columbia is not an abstraction, because there are very few slaves there. Would he not ask you, will you destroy this "glorious Union" for that small patch of ground? Is not the repeal of the Fugitive Slave Law an abstraction, because we all know that even now it is almost a dead letter? And would not the objector again sing pæans to this Union? The Wilmot Proviso is an abstraction, because climate and the laws of God have forbidden the negro to leave the warm sun of the South. Oh! where is the overt act for which you are asked to delay? I can imagine nothing else than the assassin's knife at your throat, and the incendiary's torch under your dwelling. My friends, delay is dangerous, for ere long you will be imprisoned by walls of free States all around you. Your increasing slaves will drive out the only race that can move—the whites—and the masters who still cling to their fathers graves, will, like the scorpion in a ring of fire, but sting themselves to die. This is your destiny *in the Union*. *Out of it*, you have a glorious soil—immense natural resources—cotton, the great peace-maker of the world—the best social and political organizations on earth—a people firm, free and independent—the smile of the God we worship illumining our path, and the voice of that God saying, "Occupy till I come."

But the last and potent argument to my mind in favor of immediate action, is, that by it alone can we preserve peace. I think I have shown that we have no danger to fear from servile insurrection, nor from Northern bayon-

ets. Whence, then, is the danger? At home, among ourselves, with Georgia as the theatre, and our brethren as the victims. Suppose we are equally divided. A small majority will decide the question? As good citizens we ought to submit. I should surely so counsel all my fellow citizens. But you know, and I know, that there are zealous, warm spirits, who would rather grace a traitor's gallows than wear the badge of a slave. Collisions between them and the General Government are almost inevitable. What then? Will this arm be raised to strike them down? Never, no never! Will you stand by and see them gibbeted on Federal bayonets, or sentenced by Federal Courts? I have spoken for myself; answer now for yourselves. When the dogs of war first lap the blood of freemen, what will be the consequences? I think I see in the future a gory head rise above our horizon. Its name is Civil War. Already I can see the prints of his bloody fingers upon our lintels and doorposts. The vision sickens me already, and I turn your view away. Oh! Georgians, avert from your State this bloody scourge. Surely your love of the Union is not so great but that you can offer it on the altar of fraternal peace. Come then, legislators, selected as you are to represent the wisdom and intelligence of Georgia; wait not till the grog-shops and cross-roads shall send up a discordant voice from a divided people, but act as leaders, in guiding and forming public opinion. Speak no uncertain words, but let your united voice go forth to be resounded from every mountain top and echoed from every gaping valley; let it be written in the rainbow which spans our Falls, and read in the crest of every wave upon our ocean shores, until it shall put a tongue in every bleeding wound of Georgia's mangled honor which shall cry to Heaven for "Liberty or Death!"

UNION SPEECH OF 1860.

Alexander H. Stephens.

“FELLOW CITIZENS: I appear before you tonight at the request of Members of the Legislature and others, to speak of matters of the deepest interest that can possibly concern us all, of an earthly character. There is nothing, no question or subject connected with this life, that concerns a free people so intimately as that of the Government under which they live. We are now, indeed, surrounded by evils. Never since I entered upon the public stage, has the country been so environed with difficulties and dangers that threatened the public peace and the very existence of our Institutions as now, I do not appear before you at my own instance. It is not to gratify any desire of my own that I am here. Had I consulted my personal ease and pleasure, I should not be before you; but believing that it is the duty of every good citizen, when called on, to give his counsels and views whenever the country is in danger, as to the best policy to be pursued, I am here. For these reasons, and these only, do I bespeak a calm, patient, and attentive hearing.

“My object is not to stir up strife, but to allay it; not to appeal to your passions, but to your reason. Let us, therefore, reason together. It is not my purpose to say aught to wound the feelings of any individual who may be present; and if in the ardency with which I shall ex-

press my opinions, I shall say anything which may be deemed too strong, let it be set down to the zeal with which I advocate my own convictions. There is with me no intention to irritate or offend.

“I do not, on this occasion, intend to enter into the history of the reasons or causes of the embarrassments which press so heavily upon us all at this time. In justice to myself, however, I must barely state upon this point that I do think much of it depended upon ourselves. The consternation that has come upon the people is the result of a sectional election of a President of the United States, one whose opinions and avowed principles are in antagonism to our interests and rights, and we believe, if carried out, would subvert the Constitution under which we now live. But are we entirely blameless in this matter, my countrymen? I give it to you as my opinion, that but for the policy the Southern people pursued, this fearful result would not have occurred.

“The first question that presents itself is, shall the people of Georgia secede from the Union in consequence of the election of Mr. Lincoln to the Presidency of the United States? My countrymen, I tell you frankly, candidly, and earnestly, that I do not think that they ought. In my judgment, the election of no man, constitutionally chosen to that high office, is sufficient cause to justify any State to separate from the Union. It ought to stand by and aid still in maintaining the Constitution of the country. To make a point of resistance to the Government, to withdraw from it because any man has been elected, would put us in the wrong. We are pledged to maintain the Constitution. Many of us have sworn to support it. Can we, therefore, for the mere election of any man to

the Presidency, and that, too, in accordance with the prescribed forms of the Constitution, make a point of resistance to the Government, without becoming the breakers of that sacred instrument ourselves, by withdrawing ourselves from it? Would we not be in the wrong? Whatever fate is to befall this country, let it never be laid to the charge of the people of the South, and especially to the people of Georgia, that we were untrue to our national engagements. Let the fault and the wrong rest upon others. If all our hopes are to be blasted, if the Republic is to go down, let us be found to the last moment standing on the deck with the Constitution of the United States waving over our heads. (Applause.) Let the fanatics of the North break the Constitution, if such is their fell purpose. Let the responsibility be upon them. I shall speak presently more of their acts; but let not the South, let us not be the ones to commit the aggression. We went into the election with this people. The result was different from what we wished; but the election has been constitutionally held. Were we to make a point of resistance to the Government and go out of the Union merely on that account, the record would be made up hereafter against us.

“But it is said Mr. Lincoln’s policy and principles are against the Constitution, and that, if he carries them out, it will be destructive of our rights. Let us not anticipate a threatened evil. If he violates the Constitution, then will come our time to act. Do not let us break it because, forsooth, he may. If he does, that is the time for us to act. (Applause.) I think it would be injudicious and unwise to do this sooner. I do not anticipate that Mr. Lincoln will do anything, to jeopardize our safety or

security, whatever may be his spirit to do it; for he is bound by the constitutional checks which are thrown around him, which at this time render him powerless to do any great mischief. This shows the wisdom of our system. The President of the United States is no Emperor, no Dictator—he is clothed with no absolute power. He can do nothing, unless he is backed by power in Congress. The House of Representatives is largely in a majority against him. In the very face and teeth of the majority of Electoral votes, which he has obtained in the Northern States, there have been large gains in the House of Representatives, to the Conservative Constitutional Party of the country, which I here will call the National Democratic Party, because that is the cognomen it has at the North. There are twelve of this Party elected from New York, to the next Congress, I believe. In the present House, there are but four, I think. In Pennsylvania, New Jersey, Ohio, and Indiana, there have been gains. In the present Congress, there were one hundred and thirteen Republicans, when it takes one hundred and seventeen to make a majority. The gains in the Democratic Party in Pennsylvania, Ohio, New Jersey, New York, Indiana, and other States, notwithstanding its distractions, have been enough to make a majority of near thirty, in the next House, against Mr. Lincoln. Even in Boston, Mr. Burlingame, one of the noted leaders of the fanatics of that section, has been defeated, and a Conservative man returned in his stead. Is this the time, then, to apprehend that Mr. Lincoln, with this large majority of the House of Representatives against him, can carry out any of his unconstitutional principles in that body?

“In the Senate, he will also be powerless. There will be a majority of four against him. This, after the loss of Bigler, Fitch, and others, by the unfortunate dissensions of the National Democratic Party in their States. Mr. Lincoln can not appoint an officer without the consent of the Senate—he can not form a Cabinet without the same consent. He will be in the condition of George the Third (the embodiment of Toryism), who had to ask the Whigs to appoint his ministers, and was compelled to receive a Cabinet utterly opposed to his views; and so Mr. Lincoln will be compelled to ask of the Senate to choose for him a Cabinet, if the Democracy or that Party choose to put him on such terms. He will be compelled to do this, or let the Government stop, if the National Democratic Senators (for that is their name at the North), the Conservative men in the Senate, should so determine. Then how can Mr. Lincoln obtain a Cabinet which would aid him, or allow him to violate the Constitution? Why, then, I say, should we disrupt the ties of this Union, when his hands are tied—when he can do nothing against us?

“I have heard it mooted, that no man in the State of Georgia, who is true to her interests, could hold office under Mr. Lincoln. But I ask, who appoints to office? Not the President alone; the Senate has to concur. No man can be appointed without the consent of the Senate. Should any man, then, refuse to hold office that was given him by a Democratic Senate?

“Mr. Toombs interrupted, and said, if the Senate was Democratic, it was for Breckenridge.

“Well, then, continued Mr. Stephens, I apprehend that no man could be justly considered untrue to the interests of Georgia, or incur any disgrace, if the interests of Georgia required it, to hold an office which a Breckenridge Senate had given him, even though Mr. Lincoln should be President. (Prolonged applause, mingled with interruptions).

“I trust, my countrymen, you will be still and silent. I am addressing your good sense. I am giving you my views, in a calm and dispassionate manner, and if any of you differ with me, you can on some other occasion give your views, as I am doing now, and let reason and true patriotism decide between us. In my judgment, I say, under such circumstances, there would be no possible disgrace for a Southern man to hold office. No man will be suffered to be appointed, I have no doubt, who is not true to the Constitution, if Southern Senators are true to their trusts, as I can not permit myself to doubt that they will be.

“My honorable friend who addressed you last night (Mr. Toombs), and to whom I listened with the profoundest attention, asks if we would submit to Black Republican rule? I say to you and to him, as a Georgian, I never would submit to any Black Republican aggression upon our Constitutional rights.

“I will never consent myself, as much as I admire this Union, for the glories of the past or the blessings of the present; as much as it has done for civilization; as much as the hopes of the world hang upon it; I would never submit to aggression upon my rights to maintain it longer; and if they can not be maintained in the Union

standing on the Georgia Platform, where I have stood from the time of its adoption, I would be in favor of disrupting every tie which binds the States together. I will have equality for Georgia, and for the citizens of Georgia, in this Union, or I will look for new safeguards elsewhere. This is my position. The only question now is, can this be secured in the Union? That is what I am counseling with you tonight about. Can it be secured? In my judgment it may be, yet it may not be; but let us do all we can, so that in the future, if the worst comes, it may never be said we were negligent in doing our duty to the last.

“My countrymen, I am not of those who believe this Union has been a curse up to this time. True men, men of integrity, entertain different views from me on this subject. I do not question their right to do so; I would not impugn their motives in so doing. Nor will I undertake to say that this Government of our Fathers is perfect. There is nothing perfect in this world of human origin; nothing connected with human nature, from man himself to any of his works. You may select the wisest and best men for your Judges, and yet how many defects are there in the administration of justice? You may select the wisest and best men for your Legislators, and yet how many defects are apparent in your laws? And it is so in our Government. But that this Government of our Fathers, with all its defects, comes nearer the objects of all good Governments than any other on the face of the earth, is my settled conviction. Contrast it now with any on the face of the earth!

“England, said Mr. Toombs.

“Mr. Stephens: England, my friend says. Well, that is the next best, I grant; but I think we have improved upon England. Statesmen tried their apprentice hand on the Government of England, and then ours was made. Ours sprung from that, avoiding many of its defects, taking most of the good, and leaving out many of its errors, and from the whole our Fathers constructed and built up this model Republic—the best which the history of the world gives any account of. Compare, my freinds, this Government with that of France, Spain, Mexico, the South American Republics, Germany, Ireland—(are there any sons of that down-trodden nation here tonight?)—Prussia; or if you travel further East, to Turkey, or China? Where will you go, following the sun in its circuit round our globe, to find a Government that better protects the liberties of its people, and secures to them the blessings we enjoy? (Applause.) I think that one of the evils that beset us is a surfeit of liberty, and exuberance of the priceless blessings for which we are ungrateful. We listened to my honorable friend who addressed you last night (Mr. Toombs) as he recounted the evils of this Government. The first was the Fishing Bounties, paid mostly to the sailors of New England. Our friend stated that forty-eight years of our Government was under the administration of Southern Presidents. Well, these fishing bounties began under the rule of a Southern President, I believe. No one of them, during the whole forty-eight years, ever set his administration against the principle or policy of them. It is not for me to say whether it was a wise policy in the beginning; it probably was not, and I have nothing to say in its defence. But the reason given for it was to encourage our young men to go to sea, and learn to

manage ships. We had at the time but a small navy. It was thought best to encourage a class of our people to become acquainted with seafaring life; to become sailors, to man our naval ships. It requires practice to walk the deck of a ship, to pull the ropes, to furl the sails, to go aloft, to climb the mast; and it was thought by offering this bounty, a nursery might be formed, in which young men would become perfected in these arts, and it applied to one section of the country as well as to any other. The result of this was, that in the war of 1812, our sailors, many of whom came from this nursery, were equal to any that England brought against us. At any rate, no small part of the glories of that war were gained by the veteran tars of America, and the object of these bounties was to foster that branch of the national defence. My opinion is, that whatever may have been the reason at first, this bounty ought to be discontinued—the reason for it at first no longer exists. A bill for this object did pass the Senate the last Congress I was in, to which my honorable friend contributed greatly, but it was not reached in the House of Representatives. I trust that he will yet see that he may with honor continue his connection with the Government, and that his eloquence, unrivalled in the Senate, may hereafter, as heretofore, be displayed in having this bounty, so obnoxious to him, repealed and wiped off from the statute book.

“The next evil that my friend complained of, was the Tariff. Well, let us look at that for a moment. About the time I commenced noticing public matters, this question was agitating the country almost as fearfully as the Slave question now is. In 1832, when I was in college, South Carolina was ready to nullify or secede

from the Union on this account. And what have we seen? The tariff no longer distracts the public councils. Reason has triumphed. The present tariff was voted for by Massachusetts and South Carolina. The lion and the lamb lay down together—every man in the Senate and House from Massachusetts and South Carolina, I think, voted for it, as did my honorable friend himself. And if it be true, to use the figure of speech of my honorable friend, that every man in the North, that works in iron and brass and wood, has his muscle strengthened by the protection of the government, that stimulant was given by his vote, and I believe every other Southern man. So we ought not to complain of that.

“Mr. Toombs: That tariff lessened the duties.

“Mr. Stephens: Yes, and Massachusetts, with unanimity, voted with the South to lessen them, and they were made just as low as Southern men asked them to be, and those are the rates they are now at. If reason and argument, with experience, produced such changes in the sentiments of Massachusetts from 1832 to 1857, on the subject of the tariff, may not like changes be effected there by the same means, reason and argument, and appeals to patriotism on the present vexed question? And who can say that by 1875 or 1890, Massachusetts may not vote with South Carolina and Georgia upon all those questions that now distract the country and threaten its peace and existence? I believe in the power and efficiency of truth, in the omnipotence of truth, and and its ultimate triumph when properly wielded. (Applause.)

“Another matter of grievance alluded to by my honorable friend, was the Navigation Laws. This policy was also commenced under the administration of one of these Southern Presidents, who ruled so well, and has been continued through all of them since. The gentleman’s views of the policy of these laws and my own do not disagree. We occupied the same ground in relation to them in Congress. It is not my purpose to defend them now. But it is proper to state some matters connected with their origin.

“One of the objects was to build up a commercial American marine by giving American bottoms the exclusive carrying trade between our own ports. This is a great arm of national power. This object was accomplished. We have now an amount of shipping, not only coastwise but to foreign countries, which puts us in the front rank of the nations of the world. England can no longer be styled the mistress of the seas. What American is not proud of the result? Whether those laws should be continued is another question. But one thing is certain, no President, Northern or Southern, has ever yet recommended their repeal. And my friend’s effort to get them repealed has met with but little favor North or South.

“These were three of the grievances or grounds of complaint against the general system of our Government and its workings; I mean the administration of the federal government. As to the acts of several of the States, I shall speak presently, but these three were the main ones urged against the common Head. Now suppose it be admitted that all of these are evils in the system; do they overbalance and outweigh the advanta-

ges and great good which this same Government affords in a thousand innumerable ways that cannot be estimated? Have we not at the South, as well as the North, grown great, prosperous and happy under its operation? Has any part of the world ever shown such rapid progress in the development of wealth, and all the material resources of national power and greatness, as the Southern States have under the general government, notwithstanding all its defects?

“Mr. Toombs: In spite of it!

“Mr. Stephens: My honorable friend says we have, in spite of the general government; that without it I suppose he thinks we might have done as well, or perhaps better than we have done. This grand result is in spite of the government? That may be, and it may not be; but the great fact that we have grown great and powerful under the government, as it exists, is admitted. There is no conjecture or speculation about that; it stands out bold, high, and prominent, like your Stone Mountain, to which the gentleman alluded, in illustrating some facts, in his record—this great fact of our unrivalled prosperity in the Union as it is, is admitted—whether all this is in spite of the government—whether we of the South would have been better off without the government, is, to say the least, problematical. On the one side we can only put the fact against speculation and conjecture on the other. But even as a question of speculation, I differ from my distinguished friend. What we would have lost in border wars without the Union, or what we have gained, simply by the peace it has secured, it is not within our power to estimate. Our foreign trade, which is the foundation of all our pros-

perity, has the protection of the navy which drove the pirates from the waters near our coast, where they had been buccaneering for centuries before, and might have been still, had it not been for the American navy, under the command of such a spirit as Commodore Porter. Now, that the coast is clear, that our commerce flows freely, outwardly and inwardly, we cannot well estimate how it would have been, under other circumstances. The influence of the government on us, is like that of the atmosphere around us. Its benefits are so silent and unseen, that they are seldom thought of or appreciated.

“We seldom think of the single element of oxygen, in the air we breathe, and yet, let this simple, unseen and unfelt agent be withdrawn, this life-giving element be taken away from this all-pervading fluid around us, and what instant and appalling changes would take place, in all organic creation.

“It may be, that we are all that we are, in “spite of the general government,” but it may be that without it, we should have been far different from what we are now. It is true, there is no equal part of the earth with natural resources superior, perhaps, to ours. That portion of this country known as the Southern States, stretching from the Chesapeake to the Rio Grande, is fully equal to the picture drawn by the honorable and eloquent Senator, last night, in all natural capacities. But how many ages, centuries, passed before these capacities were developed to reach this advanced stage of civilization? There, these same hills, rich in ore, same rivers, same valleys and plains, are, as they have been since they came from the hand of the Creator.

Uneducated and uncivilized, man roamed over them, for how long no history informs us.

“It was only under our Institutions as they are, that they were developed. Their development is the result of the enterprise of our people under operations of the government and institutions under which we have lived. Even our people, without these, never would have done it. The organization of society has much to do with the development of the natural resources of any country or any land. The Institutions of a people, political and moral, are the matrix in which the germ of their organic structure quickens into life, takes root, and develops in form, nature, and character. Our institutions constitute the basis, the matrix from which spring all our characteristics of development and greatness. Look at Greece: There is the same fertile soil, the same blue sky, the same inlets and harbors, the same Aegean, the same Olympus—there is the same land where Homer sung, where Pericles spoke—it is, in nature, the same old Greece; but it is “living Greece no more.” (Applause.)

“Descendants of the same people inhabit the country; yet what is the reason of this mighty difference? In the midst of present degradation we see the glorious fragments of ancient works of art—temples with ornaments and inscriptions that excite wonder and admiration, the remains of a once high order of civilization, which have outlived the language they spoke. Upon them all, Ichabod is written—their glory has departed. Why is this so? I answer this, their institutions have been destroyed. These were but the fruits of their form of government, the matrix from which their grand development sprung; and when once the institutions of our

people shall have been destroyed, there is no earthly power that can bring back the Promethean spark to kindle them here again, any more than in that ancient land of eloquence, poetry and song. (Applause.) The same may be said of Italy. Where is Rome, once the mistress of the world? There are the same seven hills now, the same soil, the same natural resources; nature is the same; but what a ruin of greatness meets the eye of the traveller throughout the length and breadth of that most down-trodden land. Why have not the people of that heaven-favored clime the spirit that animated their fathers? Why this sad difference? It is the destruction of her institutions that has caused it. And, my countrymen, if we shall, in an evil hour, rashly pull down and destroy those institutions which the patriotic hand of our fathers labored so long and so hard to build up, and which have done so much for us, and for the world; who can venture the prediction that similar results will not ensue? Let us avoid them if we can. I trust the spirit is amongst us that will enable us to do it. Let us not rashly try the experiment of change, of pulling down and destroying; for, as in Greece and Italy, and the South American Republics, and in every other place, whenever our Liberty is once lost, it may never be restored to us again. (Applause.)

“There are defects in our Government, errors in our administration, and shortcomings of many kinds, but in spite of these defects and errors, Georgia has grown to be a great State. Let us pause here a moment. In 1850 there was a great crisis, but not so fearful as this, for of all I have ever passed through, this is the most perilous, and requires to be met with the greatest calmness and deliberation.

“There were many amongst us in 1850 zealous to go at once out of the Union—to disrupt every tie that binds us together. Now do you believe, had that policy been carried out at that time, we would have been the same great people we are today? It may be that we would, but have you any assurance of that fact? Would we have made the same advancement, improvement, and progress, in all that constitutes material wealth and prosperity, that we have?

“I notice in the Comptroller-General’s report, that the taxable property of Georgia is six hundred and seventy million dollars, and upwards—an amount not far from double what it was in 1850. I think I may venture to say that for the last ten years the material wealth of the people of Georgia has been nearly, if not quite, doubled. The same may be said of our advance in education, and everything that marks our civilization. Have we any assurance that had we regarded the earnest but misguided patriotic advice, as I think, of some of that day, and disrupted the ties which bind us to the Union, we would have advanced as we have? I think not. Well, then, let us be careful now, before we attempt any rash experiment of this sort. I know that there are friends whose patriotism I do not intend to question, who think this Union a curse, and that we would be better off without it. I do not so think; if we can bring about a correction of these evils which threaten—and I am not without hope that this may yet be done. This appeal to go out, with all the promises for good that accompany it, I look upon as a great, and I fear, a fatal temptation.

“When I look around and see our prosperity in everything—agriculture, commerce, art, science, and

every department of progress, physical, mental and moral—certainly, in the face of such an exhibition, if we can, without the loss of power, or any essential right or interest, remain in the Union, it is our duty to ourselves and to posterity to do so. Let us not unwisely yield to this temptation. Our first parents, the great progenitors of the human race, were not without a like temptation when in the garden of Eden. They were led to believe that their condition would be bettered—that their eyes would be opened—and that they would become as Gods. They, in an evil hour, yielded—instead of becoming Gods, they only saw their own nakedness.

“I look upon this country, with our institutions, as the Eden of the World, the Paradise of the Universe. It may be that out of it we may become greater and more prosperous, but I am candid and sincere in telling you that I fear if we yield to passion, and without sufficient cause shall take that step, that instead of becoming greater or more peaceful, prosperous and happy—instead of becoming Gods, we will become demons, and at no distant day commence cutting one another’s throats. This is my apprehension. Let us, therefore, whatever we do, meet these difficulties, great as they are, like wise and sensible men, and consider them in the light of all the consequences which may attend our action. Let us see, first clearly, where the path of duty leads, and then we may not fear to trade therein.

“Now, upon another point, and that the most difficult, and deserving your most serious consideration, I will speak. That is, the course which this State should pursue toward those Northern States which, by their legis-

lative acts, have attempted to nullify the Fugitive Slave Law.

“Northern States, on entering into the Federal Compact, pledged themselves to surrender such fugitives; and it is in disregard of their constitutional obligations that they have passed laws which even tend to hinder or inhibit the fulfillment of that obligation. They have violated their plighted faith. What ought we to do in view of this? That is the question. What is to be done? By the law of nations, you would have a right to demand the carrying out of this article of agreement, and I do not see that it should be otherwise with respect to the States of this Union; and in case it be not done, we would, by these principles, have the right to commit acts of reprisal on these faithless governments, and seize upon their property, or that of their citizens, wherever found. The States of this Union stand upon the same footing with foreign nations in this respect.

“Suppose it were Great Britain that had violated some Compact of Agreement with the General Government—what would be first done? In that case, our Ministers would be directed, in the first instance, to bring the matter to the attention of that government, or a commissioner be sent to that country to open negotiations with her, asking for redress, and it would be only after argument and reason had been exhausted in vain that we would take the last resort of nations. That would be the course toward a foreign government, and toward a member of this Confederacy, I would recommend the same course. Let us not, therefore, act hastily, or ill-temperedly in this matter. Let your Committee on the state of the Republic make out a bill of grievances; let

it be sent by the Governor to those faithless States, and if reason and argument shall be tried in vain—if all shall fail to induce them to return to their constitutional obligations, I would be for retaliatory measures, such as the Governor has suggested to you. The mode of resistance in the Union is in our power.

“Now, then, my recommendation to you would be this: In view of all these questions of difficulty, let a convention of the people of Georgia be called, to which they may all be referred. Let the sovereignty of the people speak. Some think that the election of Mr. Lincoln is cause sufficient to dissolve the Union. Some think those other grievances are sufficient to justify the same; and that the Legislature has the power thus to act, and ought thus to act. I have no hesitancy in saying that the Legislature is not the proper body to sever our Federal relations, if that necessity should arise.

“I say to you, you have no power so to act. You must refer this question to the people, and you must wait to hear from the men at the cross-roads, and even the groceries; for the people of this country, whether at the cross-roads or groceries, whether in cottages or palaces, are all equal, and they are the Sovereigns in this country. Sovereignty is not in the Legislature. We, the people, are sovereign. I am one of them, and have a right to be heard; and so has every other citizen of the State. You Legislators—I speak it respectfully—are but our servants. You are the servants of the people, and not their masters. Power resides with the people in this country. The great difference between our country and most others, is, that here there is popular sovereignty, while there sovereignty is exercised by kings or

avored classes. This principle of popular sovereignty, however much derided lately, is the foundation of our institutions. Constitutions are but the channels through which the popular will may be expressed. Our Constitutions, State and Federal, came from the people. They made both, and they alone can rightfully unmake either.

“Should Georgia determine to go out of the Union, I speak for one, though my views might not agree with them, whatever the result may be, I shall bow to the will of her people. Their cause is my cause, and their destiny is my destiny; and I trust this will be the ultimate course of all. The greatest curse that can befall a free people, is civil war.

“As to the other matter, I think we have a right to pass retaliatory measures, provided they be in accordance with the Constitution of the United States; and I think they can be made so. But whether it would be wise for this Legislature to do this now, is a question. To the Convention, in my judgment, this matter ought to be referred. Before making reprisals, we should exhaust every means of bringing about a peaceful settlement of the controversy. Thus did General Jackson, in the case of the French. He did not recommend reprisals until he had treated with France and got her promise to make indemnifications, and it was only on her refusal to pay the money which she had promised, that he recommended reprisals. It was after negotiation had failed. I do think, therefore, that it would be best before going to extreme measures with our Confederate States, to make the presentation of our demands, to appeal to their reason and judgment to give us our rights. Then if reason should not triumph, it will be time enough to

make reprisals, and we would be justified in the eyes of a civilized world. At least, let these offending and derelict States know what your grievances are, and if they refuse, as I said, to give us our rights under the Constitution, I should be willing, as a last resort, to sever the ties of our Union with them. (Applause.)

“My own opinion is, that if this course be pursued, and they are informed of the consequences of refusal, these States will recede, will repeal their nullifying acts; but if they should not, then let the consequences be with them, and the responsibility of the consequences rest upon them. Another thing that I would have that Convention to do. Re-affirm the Georgia Platform with an additional plank in it. Let that plank be the fulfillment of these Constitutional obligations on the part of these States—their repeal of these obnoxious laws as the condition of our remaining in the Union. Give them time to consider it, and I would ask all States South to do the same thing.

“I am for exhausting all that patriotism demands, before taking the last step. I would invite, therefore, South Carolina to a conference. I would ask the same of all the other Southern States, so that if the evil has got beyond our control, which God in his mercy grant may not be the case, we may not be divided among ourselves; (cheers) but if possible, secure the united co-operation of all the Southern States, and then in the face of the civilized world, we may justify our action, and, with the wrong all on the other side, we can appeal to the God of Battles, if it comes to that, to aid us in our cause. (Loud applause.) But do nothing, in which any portion of our people, may charge you with rash or

hasty action. It is certainly a matter of great importance to tear this government asunder. You were not sent here for that purpose. I would wish the whole South to be united, if this is to be done; and I believe if we pursue the policy which I have indicated, this can be effected.

“In this way, our sister Southern States can be induced to act with us; and I have but little doubt, that the States of New York, and Pennsylvania, and Ohio, and the other Western States, will compel their Legislatures to recede from their hostile attitude, if the others do not. Then, with these, we would go on without New England, if she chose to stay out.

“A voice in the Assembly: ‘We will kick them out.’

“Mr. Stephens: No. I would not kick them out. But if they chose to stay out they might. I think, moreover, that these Northern States, being principally engaged in manufactures, would find that they had as much interest in the Union, under the Constitution, as we, and that they would return to their constitutional duty—this would be my hope. If they should not, and if the Middle States and Western States do not join us, we should, at least, have an undivided South. I am, as you clearly perceive, for maintaining the Union as it is, if possible. I will exhaust every means, thus, to maintain it with an equality in it. My position, then, in conclusion, is for the maintenance of the honor, the rights, the equality, the security, and the glory of my native State in the Union, if possible; but if these cannot be maintained in the Union, then I am for their maintenance, at all hazards, out of it. Next to the honor and glory of Georgia, the land of my birth, I hold the honor

and glory of our common country. In Savannah, I was made to say by the reporters, who very often make me say things which I never did, that I was first for the glory of the whole country, and next for that of Georgia. I said the exact reverse of this. I am proud of Georgia, of her history, of her present standing. I am proud even of her motto, which I would have duly respected at the present time, by all her sons—‘Wisdom, Justice and Moderation.’ I would have her rights, and those of the Southern States maintained now upon these principles. Her position now is just what it was in 1850, with respect to the Southern States. Her platform, then established, was subsequently adopted by most, if not all, the other Southern States. Now I would add but one additional plank to that platform, which I have stated, and one which time has shown to be necessary, and if that shall likewise be adopted in substance by all the Southern States, all may yet be well. But, if all this fails, we shall at least have the satisfaction of knowing that we have done our duty, and all that patriotism could require.

(Mr. Stephens then took his seat, amidst great applause.)

(*From State Archives.*)

An Act to authorize and require the Governor of the State of Georgia, to call a Convention of the people of this State; and for other purposes therein mentioned.

PREAMBLE.

Whereas, The present crisis in our national affairs, in the judgment of this General Assembly, demands resistance; and *whereas,* it is the privilege and right of the sovereign people to determine upon the mode, measure, and time, of such resistance.

GOVERNOR TO ISSUE PROCLAMATION FOR STATE CONVENTION,
TO MEET AT MILLEDGEVILLE, JAN. 16, 1861.

1. SECTION I. *Therefore, the General Assembly do enact,* That upon the passage of this Act, his Excellency, the Governor, be, and he is hereby required to issue his Proclamation, ordering an election to be held in each and every county in this State, on the first Wednesday in January, eighteen hundred and sixty-one, for Delegates to a Convention of the people of this State, to convene at the seat of Government, on the sixteenth day of January, eighteen hundred and sixty-one.

MODE OF HOLDING ELECTION OF DELEGATES.

CERTIFICATES TO BE GIVEN TO THOSE ELECTED.

2. SEC. II. That said election for delegates, shall be held and conducted in the same manner, and at the same places, as elections for members of the General Assem-

bly, are now held in this State; and all returns of such elections shall be in the same manner forwarded to the Governor of this State, who shall furnish each delegate chosen, with a certificate of his election.

BASIS OF REPRESENTATION IN CONVENTION.

3. SEC. III. That the counties entitled under the last Act of apportionment, to two members in the House of Representatives, shall be entitled each to three delegates to said Convention; and the counties entitled, under said apportionment, to one Representative, shall elect each two delegates to said Convention.

POWERS AND DUTIES OF CONVENTION.

4. SEC. IV. That said Convention, when assembled, may consider all grievances impairing or affecting the equality and rights of the State of Georgia as a member of the United States, and determine the mode, measure, and time of redress.

PAY OF DELEGATES, MILEAGE, &c.

5. SEC. V. That the members of said Convention of the people of Georgia, shall be entitled to the same mileage and per diem pay received by the members of the present General Assembly; and said Convention shall, by vote, fix the pay of all their officers, and of any delegate or delegates they may appoint to any other Convention, Congress, or Embassy; and shall provide for all other expenses incurred by said Convention.

CONVENTION MAY ELECT ITS OWN OFFICERS, ETC.

6. SEC. VI. That said Convention shall have power to elect all officers necessary to their organization; and

to do all things needful to carry out the true intent and meaning of this act, and the acts and purposes of said Convention.

Approved 21st Nov., 1860.

(From State Archives.)

EXECUTIVE DEPARTMENT

MILLEDGEVILLE, GEORGIA,

November 21st, 1860.

A PROCLAMATION

BY JOSEPH E. BROWN, GOVERNOR OF GEORGIA:

The General Assembly of the State of Georgia, now in session, has passed *unanimously* an Act in the following words:

Whereas, The present crisis in our national affairs, in the judgment of this General Assembly, demands resistance; and

Whereas, It is the privilege and right of the sovereign people to determine upon the mode, measure and time of such resistance.

SECTION 1. Therefore, the General Assembly do enact, That upon the passage of this Act, his Excellency, the Governor, be, and he is hereby required to issue his proclamation, ordering an election to be held in each and every county in this State, on the first Wednesday in January, eighteen hundred and sixty-one, for Delegates to a Convention of the People of this State, to convene at the seat of government, on the sixteenth day of January, eighteen hundred and sixty-one.

SEC. 2. That said election for delegates shall be held and conducted in the same manner and at the same places as elections for members of the Gneral Assembly are now held in this State; and all returns of such elections shall be in the same manner forwarded to the Governor of this State, who shall furnish each delegate chosen with a certificate of his election.

SEC. 3. That the counties entitled under the last Act of Apportionment to two members in the House of Representatives, shall be entitled each to three delegates to said Convention; and the counties entitled under said apportionment to one Representative, shall elect each two delegates to said Convention.

SEC. 4. That said Convention, when assembled, may consider all grievances impairing or affecting the equality and rights of the State of Georgia as a member of the United States, and determine the mode, measure and time of redress.

SEC. 5. That the members of said Convention of the people of Georgia shall be entitled to the same mileage and per diem pay received by the members of the present General Assembly, and said Convention shall, by vote, fix the pay of all their officers, and of any delegate or delegates they may appoint to any other Convention, Congress or Embassy; and shall provide for all other expenses incurred by said Convention.

SEC. 6. That said Convention shall have power to elect all officers necessary to the organization, and to do all things needful to carry out the true intent and meaning of this Act, and the Acts and purposes of said Convention.

Therefore, I, Joseph E. Brown, Governor of Georgia, in obedience to the requirements of said Act, do issue this my Proclamation, ordering said election for delegates to said Convention, to be held in conformity to said Act; and requiring the managers of elections for delegates in the several counties of this State to certify and send up to this Department all returns of said elections, as in case of elections for members of the General Assembly.

And I do further require all delegates elected to said Convention to meet at the Capitol, in Milledgeville, on the sixteenth day of Jaunary, 1861, to consider of the mode, measure and time of *resistance*.

Given under my hand and the Seal of the Executive Department, at the Capitol, in Milledgeville, this 21st day of November, in the year of our Lord eighteen hundred and sixty.

JOSEPH E. BROWN.

By the Governor:

H. I. G. WILLIAMS, Sec'y. Ex. Dept.

JOURNAL
OF THE
PUBLIC AND SECRET PROCEEDINGS
OF THE
CONVENTION OF THE PEOPLE
OF
GEORGIA
HELD IN MILLEDGEVILLE AND SAVANNAH IN 1861
TOGETHER WITH THE ORDINANCES ADOPTED
PUBLISHED BY ORDER OF THE CONVENTION.

(From State Archives.)

JOURNAL OF THE CONVENTION
HELD AT MILLEDGEVILLE IN OPEN SESSION.

MILLEDGEVILLE, GEORGIA,

Wednesday, January 16, 1861.

In accordance with a proclamation issued by his Excellency, JOSEPH E. BROWN, Governor of Georgia, bearing the date 21st November, 1860, delegates from the several counties of this State, duly elected by the people thereof, assembled this day in the Capitol, and at the hour of half past ten o'clock A. M., on motion of Mr. Styles, of Ware, the Hon. Henry L. Benning, a delegate from the county of Muscogee, was called to the chair, and Arthur

Hood. Esq., a delegate from the county of Randolph, was appointed Secretary, for the purpose of organization.

The Governor's proclamation convening this body was then read, and, on motion, the Secretary proceeded to call the counties, when the following delegates, from the counties prefixed to their names, upon the presentation of certificates of election, were duly enrolled as members of the Convention:

Appling—Seaborn Hall, J. H. Latimer.

Banks—W. R. Bell, S. W. Pruett.

Baker—A. H. Colquitt, C. D. Hammond.

Baldwin—A. H. Kennan, L. H. Briscoe.

Berrien—W. J. Mabry, J. C. Lamb.

Bibb—Washington Poe, John D. Lamar, E. A. Nisbet.

Brooks—C. S. Gaulden, Henry Briggs.

Bryan—C. C. Slater, J. P. Hines.

Bulloch—S. L. Moore, Samuel Harville.

Burke—E. A. Allen, E. B. Gresham, W. B. Jones.

Butts—D. J. Bailey, Henry Hendricks.

Camden—N. J. Patterson, F. M. Adams.

Campbell—J. M. Cantrell, T. C. Glover.

Calhoun—W. G. Sheffield, E. Padgett.

Carroll—B. W. Wright, B. W. Hargrove, Allen Rowe.

Cass—W. T. Wafford, H. F. Price, T. H. Trippe.

Catoosa—Presly Yates, J. T. McConnell.

Charlton—F. M. Smith, H. M. Mershon.

Chatham—F. S. Bartow, A. S. Jones, John W. Anderson.

Chattooga—Wesley Shropshire, L. Williams.

Cherokee—W. A. Teasley, E. E. Fields, John McConnell.

Clark—T. R. R. Cobb, Asbury Hull, Jefferson Jennings.

Clayton—R. E. Morrow, James F. Johnston.

Clay—W. H. C. Davenport, B. F. Burnett.

Clinch—Benjamin Sermons, F. G. Ramsey.

Cobb—G. D. Rice, A. A. Winn, E. H. Lindley.

Coffee—Rowan Pafford, J. H. Frier.

Columbia—W. A. S. Collins, H. R. Casey, R. S. Neal.

Colquitt—H. C. Tucker, John G. Coleman.

Coweta—A. B. Calhoun, J. J. Pinson, W. B. Shell.

Crawford—W. C. Cleveland, Isaac Dennis.

Dade—S. C. Hale, R. M. Pariss.

Dawson—Alfred Webb, R. H. Pierce.

Decatur—Richard Simms, C. J. Munnerlyn, B. H. Gee.

DeKalb—Charles Murphy, G. K. Smith.

Dooly—John S. Thomas, Elijah Butts.

Dougherty—Richard H. Clark, C. E. Mallary.

Early—R. W. Sheffield, James Buchanan.

Echols—Harris Tomlinson, J. B. Prescott.

Effingham—E. W. Solomons, A. G. Porter.

Elbert—J. C. Burch, L. H. O. Martin.

Emanuel—A. L. Kirkland, John Overstreet.

Fannin—W. C. Fain, E. W. Chastain.

Fayette—M. M. Tidwell, J. L. Blalock.

Floyd—James Ward, Simpson Fouche, F. C. Shropshire.

Forsyth—Hardy Strickland, H. P. Bell.

Franklin—John H. Patrick, Samuel Knox.

Fulton—J. F. Alexander, L. J. Glenn, J. P. Logan.

Glascock—Joshua F. Ushy, Calvin Logue.

Gilmer—Joseph Pickett, W. P. Milton.

Gordon—W. H. Dabney, James Freeman, R. M. Young.

Greene—N. M. Crawford, R. J. Willis, T. N. Poullain.

Gwinnett—R. D. Winn, J. P. Simmons, T. P. Hudson.

Habersham—R. C. Ketchum, Singleton Sisk.

Hall—E. M. Johnson, P. M. Byrd, Davis Welchel.

Hancock—Linton Stephens, B. T. Harris, T. M. Turner.

Haralson—W. J. Heard, A. R. Walton.

Harris—D. P. Hill, W. J. Hudson, H. D. Williams.

Hart—R. S. Hill, J. E. Skelton.

Heard—R. P. Wood, C. W. Mabry.

Henry—F. E. Manson, E. B. Arnold, J. H. Low.

Houston—J. M. Giles, D. F. Gunn, B. W. Brown.

Irwin—M. Henderson, Jacob Young.

Jackson—J. J. McCulloch, J. G. Pitman, D. R. Lyle.

Jasper—Aris Newton, Reuben Jordon, Jr.

Jefferson—H. V. Johnson, George Stapleton.

Johnson—William Hust, J. R. Smith.

Jones—James M. Gray, P. T. Pitts.

Laurens—Nathan Tucker, J. W. Yopp.

Lee—W. B. Richardson, Goode Bryan.

Liberty—W. B. Fleming, S. M. Varnadoe.

Lowndes—C. H. M. Howell, Isaiah Tilman.

Lumpkin—Benjamin Hamilton, William Martin.

Madison—J. S. Gholston, A. C. Daniel.

Macon—W. H. Robinson, J. H. Carson.

Marion—W. M. Brown, J. M. Harvey.

McIntosh—J. M. Harris, G. W. M. Williams.

Meriwether—H. R. Harris, W. D. Martin, Hiram Warner.

Miller—W. J. Cheshier, C. L. Whitehead.

Milton—Jackson Graham, J. C. Street.

Mitchell—William T. Cox, Jesse Reed.

Monroe—R. L. Roddey, Hiram Phinizy, Jr., J. T. Stephens.

Montgomery—T. M. McRae, S. H. Latimer.

Morgan—Thomas P. Saffold, Augustus Reese.

Murray—Anderson Farnsworth, Euclid Waterhouse.

Muscogee—J. N. Ramsey, Henry L. Benning, A. S. Rutherford.

Newton—W. S. Montgomery, Alexander Means, Permedus Reynolds.

Oglethorpe—D. D. Johnson, Samuel Glenn, Willis Willingham.

Paulding—Henry Lester, J. Y. Algood.

Pickens—James Simmons, W. T. Day.

Pierce—E. D. Hendry, J. W. Stephens.

Pike—R. B. Gardner, G. M. McDowell.

Polk—W. E. West, T. W. Dupree.

Pulaski—T. J. McGriff, C. M. Bozeman.

Putnam—R. T. Davis, D. R. Adams.

Quitman—E. C. Ellington, L. P. Dozier.

Rabun—Samuel Beck, H. W. Cannon.

Randolph—Marsellus Douglas, Arthur Hood.

Richmond—George W. Crawford, J. Phinizy, Sr., J. P. Garvin.

Schley—H. L. French, W. A. Black.

Seriven—C. Humphries, J. L. Singleton.

Spalding—W. G. Dewberry, Henry Moore.

Stewart—James A. Fort, James Hilliard, G. Y. Banks.

Sumter—W. A. Hawkins, T. M. Furlow, Henryavenport.

Talbot—W. R. Neal, W. B. Marshall, L. B. Smith.

Taliaferro—Alexander H. Stephens, S. H. Perkins.

Tatnall—Benjamin Brewton, Henry Strickland.

Taylor—W. J. F. Mitchell, H. H. Long.

Telfair—H. McLean, James Williamson.

Terrell—William Harrington, D. A. Cochran.

Thomas—A. H. Hansell, S. B. Spencer, W. G. Ponder.

Towns—John Corn, Elijah Kimsey.

Troup—B. H. Hill, W. P. Beasley, J. M. Beall.

Twiggs—John Fitzpatrick, S. L. Richardson.

Union—J. H. Huggins, J. P. Welborn.

Upson—P. W. Alexander, T. S. Sherman.

Walker—G. G. Gordon, R. B. Dickerson, T. A. Sharpe.

Walton—George Spence, Willis Kilgore, H. D.

McDaniel.

Ware—W. A. McDonald, C. W. Styles.

Warren—M. D. Cody, N. A. Wicker.

Wayne—Henry R. Fort, H. A. Cannon.

Washington—E. S. Langmade. Lewis Bullard, A. C.

Harris.

Webster—P. F. Brown, M. H. Bush.

White—Isaac Bowen, E. F. Starr.

Whitfield—J. M. Jackson, F. A. Thomas, Dickerson

Taliaferro.

Wilcox—D. A. McLeod, Smith Turner.

Wilkes—Robert Toombs, J. J. Robertson.

Wilkinson—N. A. Carswell, R. J. Cochran.

Worth—R. G. Ford, Sr., T. T. Mounger.

The official returns of the election of delegates from the counties of Chattahoochee, Glynn, and Lincoln, not having been received at the Executive Department, certificates of election could not be procured by the delegates from those counties, whereupon,

On the motion of Mr. Stephens, of Taliaferro, it was unanimously resolved that the delegates elected from

those counties do enroll their names, and participate in the action of the Convention.

Those counties are therefore represented as follows:

From the county of Glynn, John L. Harris, and H. B. Troup.

From the county of Lincoln, LaFayette Lamar, and C. P. Strother.

From the county of Chattahoochee, A. H. Flewellen, and William Davis.

By direction of the Chairman, the roll was called, and it being ascertained that a quorum was present, the Chairman stated that it had been suggested to him, that before proceeding further, it would be appropriate, by prayer, to seek the blessings of God upon the deliberations of this Convention; in which suggestion he was most heartily concurred.

Whereupon, by request, the Reverend Mr. Williamson, a delegate from the county of Telfair, in an impressive and fervent manner, performed that duty.

Mr. Kenan then moved that the Convention proceed to the election of a President-pending which,

On motion of Hull, George W. Crawford, a delegate from the county of Richmond, was chosen President by acclamation.

On motion, Messrs. Hull, Stephens, of Taliaferro, and Kenan, were appointed a committee to notify the President of his election, to request his acceptance, and conduct him to the chair.

The President on taking the chair, addressed the Convention, and tendered his acknowledgement for the honor conferred upon him.

The Convention then proceeded to the election of a Secretary, which, on the third ballot, resulted in the election of Albert R. Lamar, of the county of Muscogee.

On motion of Mr. Wright, by acclamation, Jesse Oslin, of the county of Cobb, was appointed Messenger, and William Atkins, of Oglethorpe county, Door Keeper.

On motion of Mr. Fouche, the following committee was appointed by the President to report upon Rules to govern the deliberations of this Convention, to-wit:

Messrs. Fouche,
Hill, of Troup,
Clarke.

Mr. Fleming offered the following Resolution:

Resolved, That a committee of three be appointed by the President to wait upon the Commissioners of South Carolina and Alabama, now in this city, to ascertain when it will be convenient for them to address this Convention, and also, to invite them to take seats with this body.

The resolution was adopted, and the President appointed Messrs. Fleming, Rice, and Tripp that committee.

On motion of Mr. Cobb, the following committee was

appointed by the President to make arrangements with the Reverend Clergy of this city and vicinity, so that the services of some of them may be secured to open with prayer the deliberations of the Convention on each day of its session, to-wit:

Messrs. Cobb,

Varnadoe,

Briscoe.

On motion of Mr. Bartow, it was unanimously resolved that one of the standing rules of this Convention shall be the suppression of all applause or other noisy demonstration during, or following the remarks of any delegate.

The Convention then adjourned till ten o'clock tomorrow morning.

THURSDAY MORNING, JANUARY 17, 1861.

The Convention met pursuant to adjournment; after prayer by the Rev. Mr. Evans, the roll was called, and a quorum being present, the journal of yesterday was read, when the President announced that communications from South Carolina and Alabama, were before him, which, on motion of Mr. Stephens, of Taliaferro, were read, and on motion of Mr. Toombs were ordered to be printed for the use of the Convention.

A communication was also received from the mayor of Atlanta, by the President. in which, by a resolution of the Mayor and Council of that city, this Convention was requested to appoint Atlanta as the place of holding the Convention for the purpose of forming a Southern Confederacy.

On motion of Mr. Anderson, the communication was laid on the table for the present.

Mr. Fleming, from the committee to wait on the Commissioners from South Carolina and Alabama accredited to this Convention, reported that the committee had discharged that duty, and that the Hon. James L. Orr, the Commissioner from South Carolina, and the Hon. John G. Shorter, the Commissioner from Alabama, had accepted the invitation of, and would address the convention at any hour it would suggest.

Whereupon on motion of Mr. Stephens, of Taliaferro, the committee was directed to inform said Commission-

ers, that the Convention would be ready to receive and hear them at the hour of 12 m. of this day.

Mr. Fouche, from the committee on rules for the government of the Convention in its deliberations, reported the following, to-wit:

RULES OF THE CONVENTION, FOR 1861.

1st. The President having taken the Chair, a quorum being present, (to ascertain which the President may order the roll to be called which shall otherwise be omitted,) the Journal of the preceding day shall be read immediately, after which, it shall be in the power of any member to move for a reconsideration of any matter therein contained, (provided such member, at the time of reading such matter, shall notify the Convention of his intention to move such reconsideration,) except such matter as has been heretofore reconsidered.

2d. Every ordinance or resolution having been lost or passed, and again reconsidered, shall, immediately thereafter by the Secretary of the Convention, be placed on file in the standing order and be taken up accordingly, and take precedence from the time of reconsideration only unless otherwise directed by the Convention.

3d. No member shall speak to another, or otherwise interrupt the business of the Convention, while the journal or public papers is reading, or when any member is speaking in debate.

4th. When any member is about to speak, or deliver any matter in the Convention, he shall rise from his seat and address himself to the Chair; he shall confine him-

self to the question under consideration, and at all times avoid personality.

5th. No member shall speak more than twice in any one debate, on the same day, without leave of the Convention.

6th. When two members rise to speak, the first that rises shall be first in order, which shall be determined by the President.

7th. No motion shall be put or debated until the same be seconded.

8th. When a motion is made and seconded, it shall be reduced to writing when required by the President or any member, delivered in at the table, and read, before the same shall be debated.

9th. When a question is before the Convention, no motion shall be received, but to adjourn; to lie on the table, to postpone indefinitely; to postpone to a day certain; to commit or amend; which several motions shall have precedence in the order they stand here arranged. The motion for adjournment shall always be in order, and decided without debate; but the motion for adjournment for a second time shall be out of order, until the question before the Convention is first disposed of.

10th. The previous question being moved and seconded by a majority, the question for the Chair shall be: "Shall the main question now be put?" and if the yeas prevail the question shall then be put.

11th. If a question in debate contains several points, any member may have the same divided.

12th. When the yeas and nays are called by two members, each member called upon shall (unless excused) declare openly and without debate, his yea or nay to the question, and upon the call of the House the members shall be taken by their names in alphabetical order; and no member shall be allowed to change his vote after the same has been pronounced by the Chair, unless by the consent of the Convention.

13th. When a member wishes to introduce a resolution or ordinance, he shall rise from his seat, address the Chair, read the caption, and on leave report the resolution or ordinance instanter; and these reports, in point of order, shall hold the place of reports from committees. But all resolutions expressing the opinion of the Convention, shall lie at least one day on the table, unless otherwise ordered by a majority of the Convention.

14th. No ordinance shall be committed until it shall have been twice read, after which it may be referred to a Committee.

15th. When a member is called to order, he shall take his seat until the President shall have determined whether he is in order or not; every question of order shall be decided by the President without debate; but if there is a doubt in his mind, he shall call for the sense of the Convention.

16th. If a member be called to order for words spoken, the exceptionable words shall be immediately taken down in writing, that the President may be better able to judge of the matter.

17th. When a blank is to be filled, and different sums and different days are proposed, the question shall be taken on the highest sum and most distant day first.

18th. All petitions shall be numbered as they are received, and taken up and decided on in the same order as they were received.

19th. No member shall absent himself from the service of the Convention, without leave first obtained; and in case a less number than a quorum of the Convention shall convene, they are hereby authorized to send any person or persons by them authorized, for any and all absent members, as a majority of such members present shall agree, at the expense of such absent members respectively, unless such excuse for non-attendance shall be made as the Convention when a quorum is convened, shall judge sufficient.

20th. No member shall leave his seat after adjournment, until the President shall have left the room.

21st. When any communication is received from the Governor, it shall be in order to take it up as soon as the matter then under consideration is disposed of.

22d. The unfinished business in which the Convention was engaged at the last preceding adjournment, shall have the preference in the order of the day, and no motion or any other business shall be received until the former is disposed of. And the Secretary shall preserve the unfinished business at the close of the present Session, subject to the order of the Convention at the next Session.

23d. No standing rule of the Convention shall be altered without one day's notice being given, expressing the intended alteration; nor shall any rule of the Convention be dispensed with, except by a vote of two-thirds of the members present.

24th. The Secretary, Assistant Secretary, and En-grossing and Enrolling Clerks shall be sworn, or affirmed, before the presiding officer of the Convention, to discharge their respective duties faithfully, and to the best of their skill and ability; of which oath or affirmation. an entry shall be made in the Journals before they enter upon the discharge of their duties.

25th. The President may at any time call a member of the Convention to the Chair, to preside over its deliberations for that day's session, and no longer.

26th. All ordinances read a second time and referred to the Committee of the Whole, shall, unless otherwise ordered by the Convention, be taken up as reports of the Committee.

The report was received and adopted, and 500 copies order to be printed, under the supervision of the committee.

The President then proceeded to administer the oath required by the 24th rule, to the Secretary.

On motion of Mr. Strother, of Lincoln, the following resolution was adopted:

Resolved, That the President of this Convention be authorized to direct seats to be provided on this floor for

reporters and other representatives of Southern presses, as far as may be practicable during open session.

On motion of Mr. Glenn, of Fulton, it was,

Resolved, That the Secretary of this Convention, be authorized to appoint an assistant Secretary, and a Recording Clerk.

Whereupon, The Secretary appointed Jno. H. Steele, of Fulton county, assistant Secretary, and J. M. Patton, of Bibb county. Recording Clerk; to each of whom the oath required by the 24th rule, was administered by the President.

On motion of Mr. Bartow, it was

Resolved, That His Excellency, Governor Brown, and ex-Governor Howell Cobb, be invited to take seats upon the floor;

And, on motion of Mr. Kenan, the same privilege was extended to the Judges of the Supreme Court, and the Judges of the Superior Courts of this State.

Mr. Styles offered the following resolution:

Resolved, That Messrs. Boughton, Nisbet and Barnes be appointed Printers to this Convention.

Mr. Reynolds moved to amend, so that the printing should be given to both the printing establishments of this city.

And Mr. Johnston moved further to amend the resolution by inserting the words, "*provided the work shall be*

done at the same rates at which the public printing is now done."

Mr. Styles accepted both amendments, and the resolution as amended, was unanimously adopted.

Mr. Fouche offered the following resolution, which was taken up, read, and adopted:

Resolved, That His Excellency, the Governor, be requested to communicate to this Convention, all information in his possession, which may, in his opinion, be calculated to facilitate its deliberations and action; and, also, to furnish the Convention, if in his power to do so, a copy of the ordinance by which Georgia became a member of the Union.

The hour of 12 m. having arrived, Mr. Fleming, from the committee appointed for that purpose, introduced to the Convention, the Hon. James L. Orr, the Commissioner from South Carolina, and the Hon. John G. Shorter, the Commissioner from Alabama.

The President welcomed the Commissioners, and stated that the Convention was then ready to hear what they would be pleased to communicate:

Whereupon, The Hon. James L. Orr, and the Hon. John G. Shorter, both addressed the Convention, explaining the objects of their mission to this State.

After which, on motion of Mr. Stephens, of Taliaferro, the Convention adjourned till ten o'clock tomorrow morning.

FRIDAY, JANUARY 18, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

The roll was called, and a quorum being present the journal was read.

Mr. Hull then introduced the following resolution:

Resolved, That the sessions of this Convention shall be with closed doors—admitting no one but the members and the officers of the Convention, and those gentlemen who have been invited to take seats on the floor, except when otherwise specially ordered by the Convention.

Mr. Clarke moved to amend by inserting the words, “excepting the door of the gallery” upon which a debate ensued, when Mr. Kenan called for the previous question, which being seconded, the amendment was cut off, and the resolution was adopted.

The doors were then closed, when Mr. Nisbet offered the following resolutions, which were taken up and read:

Resolved, That in the opinion of this Convention, it is the right and duty of Georgia to secede from the present Union, and to co-operate with such of the other States as have or shall do the same, for the purpose of forming a Southern Confederacy upon the basis of the Constitution of the United States.

Resolved, That a committee of -- be appointed by the Chair to report an ordinance to assert the right, and

fulfill the obligation of the State of Georgia to secede from the Union.

He then moved to take up the first resolution.

Whereupon Mr. Johnson, of Jefferson, offered the following preamble and Ordinance, as a substitute for Mr. Nisbet's, and moved the reference of both to a committee of twenty-one:

“The State of Georgia is attached to the Union, and desires to preserve it, if it can be done consistent with her rights and safety; but existing circumstances admonish her of danger: that danger arises from the assaults that are made upon the institution of domestic slavery, and is common to all the Southern States. From time to time, within the last forty years Congress has attempted to pass laws in violation of our rights, and dangerous to our welfare and safety; but they have been restrained by the united opposition of the South and the true men of the North, and thus far the country has prospered. and the South has felt comparatively secure. Recently, however, events have assumed a more threatening aspect, several of the non-slaveholding States refuse to surrender fugitive slaves, and have passed laws the most oppressive to hinder, obstruct and prevent it, in palpable violation of their constitutional obligations. The Executive Department of the government is about to pass into the hands of a sectional, political party, pledged to principles and a policy which we regard as repugnant to the Constitution. These considerations, of themselves, beget a feeling of insecurity which could not fail to alarm a people jealous of their rights. By the regular course of events, the South is in a minority in

the Federal Congress, and the future presents no hope of a restoration of the equilibrium between the sections, in either house thereof. Hence the Southern States are in imminent peril, being in the power of a majority, reckless of constitutional obligations, and pledged to principles leading to our destruction. This peril is greatly augmented by the recent secession of South Carolina, Florida, Alabama, and Mississippi from the Union, by which the Southern States are deprived of the benefit of their co-operation, and left in a still more hopeless minority in the Federal Congress. Therefore, whilst the State of Georgia will not and can not, compatibly with her safety abide permanently in the Union, without new and ample security for future safety, still she is not disposed to sever her connection with it precipitately, nor without respectful consultation with her Southern Confederates. She invokes the aid of their counsel and co-operation, to secure our rights, in the Union, if possible, or to protect them, out of the Union if necessary. Therefore,

First. *Be it ordained by the State of Georgia in sovereign Convention assembled*, That Delaware, Maryland, Virginia, Kentucky, North Carolina, Louisiana, Texas, Arkansas, Tennessee and Missouri, be, and they are hereby respectfully invited to meet with this State by delegates in a Congress, at Atlanta, Georgia, on the 16th of February, 1861, to take into consideration the whole subject of their relations to the Federal Government, and to devise such a course of action as their interest, equality and safety may require.

Section second. *Be it further ordained, etc.*, That the independent Republics of South Carolina, Florida, Ala-

bama and Mississippi, be, and they are hereby cordially invited to send Commissioners to said Congress.

Section third. *Be it further ordained*, That inasmuch as Georgia is resolved not to abide permanently in this Union without satisfactory guarantees of future security, the following propositions are respectfully suggested for the considerations of her Southern Confederates as the substance of what she regards indispensable amendments to the Constitution of the United States, to-wit:

1. That Congress shall have no power to abolish or prohibit slavery in the territories or any place under their exclusive jurisdiction.

2. Each State shall be found to surrender fugitive slaves, and if any fugitive slave shall be forcibly taken or enticed from the possession of any officer legally charged therewith for the purpose of rendition, the United States shall pay the owner the value of such slave, and the county in which such rescue or enticement may occur, shall be liable to the United States for the amount so paid to be recovered by suit in the Federal Courts.

3. It shall be a penal offence definable by Congress and punishable in the Federal Courts for any person to rescue or entice, or to encourage, aid or assist others to rescue or entice any fugitive slave from any officer legally charged with the custody thereof, for the purpose of rendition.

4. Whatever is recognized as property by the Constitution of the United States shall be held to be prop-

erty in the Territories of the United States, and in all places over which Congress has exclusive jurisdiction, and all kinds of property shall be entitled to like and equal protection therein by the several departments of the general government.

5. New States formed out of the territory now belonging to the United States, or which may be hereafter acquired, shall be admitted into the Union with or without slavery as the people thereof may determine at the time of admission.

6. Congress shall have no power to prohibit or interfere with the slave trade between the States, nor to prohibit citizens of the United States passing through, or temporarily sojourning in the District of Columbia from having with them their slaves, and carrying them away, but it shall be the duty of Congress to provide by law for the punishment of all persons who may interfere with this right in the same way as is provided for in the foregoing third proposition.

7. No State shall pass any law to prohibit the citizens of any other State traveling, or temporarily sojourning therein, from carrying their slaves and returning with them; and it shall be a penal offence, definable by Congress, and punishable by the Federal Courts, for any person to entice away, or harbor, or attempt to entice away or harbor, the slave or slaves of such citizen so traveling or temporarily sojourning.

8. The obligation to surrender fugitives from justice as provided for in the Constitution of the United States extends, and shall be held to extend as well to

fugitives charged with offences connected with or committed against slavery or slave property as to any other class of offences, and for the purpose of this proposition, whatever is defined to be a criminal offence in one State shall be deemed and held a criminal offence in every other State.

9. The Supreme Court having decided that negroes are not citizens of the United States, no person of African descent shall be permitted to vote for Federal Officers nor to hold any office or appointment under the government of the United States.

Section fourth. *Be it further ordained, etc.,* That refraining from any formal demand upon those slaveholding States which have passed them, of the repeal of the personal liberty and other acts, in any wise militating against the rendition of fugitive slaves, or fugitives from justice, yet the State of Georgia hereby announces her unalterable determination not to remain permanently in confederation with those States, unless they shall purge their statute books of all such acts.

Section fifth. *Be it further ordained, etc.,* That if, between now and her action upon the question of her continuance in the Union, the general government should attempt to coerce any one of the States, that have recently withdrawn, or shall, hereafter withdraw therefrom, the State of Georgia will make common cause with such States, and hereby pledges all her resources for their protection and defence.

Section sixth. *Be it further ordained, etc.,* That the State of Georgia will continue to hold, until her final

decision in the premises, the possession of Fort Pulaski, and all other Federal property within her borders, which have been seized under the direction and authority of His Excellency the Governor of this State.

Section seventh. *Be it further ordained, etc.,* That a Commissioner be appointed by this Convention to each of the slaveholding States, now members of the Federal Union, to inform them of the action of Georgia, and to urge their conformity to the policy herein indicated, and that in response to the request of Alabama, this Convention will also appoint a Commissioner to the Convention, which she has invited at Montgomery on the 4th of February next, who is hereby instructed to urge upon that Convention so to shape their action as to conform to, and co-operate with, that of the proposed Congress at Atlanta, on the 16th day of the same month.

Section eighth. *Be it further ordained, etc.,* That if all effort fail to secure the rights of the State of Georgia in the Union, and she is reluctantly compelled to resume her separate independence she will promptly and cordially unite with the other Southern States similarly situated, in the formation of a Southern Confederacy upon the basis of the present Constitution of the United States.

Section ninth. *Be it further ordained,* That this Convention will adjourn, to meet again on the twenty-fifth day of February next, to take such action in the premises as may be required by the proceedings of the Congress at Atlanta, and the development of intervening events, keeping steadfastly in view the rights, equality and safety of Georgia, and her unalterable determination to maintain them at all hazards, and to the last extremity.

After an elaborate discussion, in which Messrs. Nisbet, Johnson, of Jefferson, Cobb, Stephens, of Taliaferro, Toombs, Means, Reese, Hill, of Troup, and Bartow, participated, a call was made for the "previous question" which being sustained under the ruling of the Chair, cut off the motion to commit, and a vote on the substitute, and brought the Convention to a direct vote on the first original resolutions of Mr. Nisbet. Whereupon the yeas and nays were demanded, which being called resulted as follows: (the President voting in the affirmative) yeas 166, nays 130.

Those who voted in the affirmative are Messrs.

| | |
|----------------------|-------------------------|
| Adams of Camden, | Chastain, |
| Alexander of Fulton, | Cheshier, |
| Algood, | Clarke, |
| Allen, | Cleveland, |
| Anderson, | Cobb, |
| Bailey, | Coleman, |
| Banks, | Colquitt, |
| Bartow, | Cox, |
| Beall of Troup, | Dabney, |
| Benning, | Daniel, |
| Blalock, | Davis of Chattahoochee, |
| Bozeman, | Davenport of Clay, |
| Briggs, | Davenport of Sumter, |
| Brown of Houston, | Dennis, |
| Bryan, | Douglass, |
| Buchanan, | Dozier, |
| Burch, | Dewberry, |
| Burnett, | Ellington, |
| Butts, | Fleming, |
| Calhoun, | Flewellen, |
| Cannon of Wayne, | Fields, |
| Cantrell, | Fitzpatrick, |
| Carson, | Ford, |

Fort of Stewart,
Fort of Wayne,
Fouche,
Furlow,
Gaulden,
Gardner,
Garvin,
Gee,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gray,
Gresham,
Gunn,
Hall,
Hammond,
Hansell,
Hargroves,
Harvill,
Harris of Glynn,
Harris of McIntosh,
Harris of Meriwether,
Harvey,
Hawkins,
Head,
Hendry,
Hendricks,
Hill of Hart,
Hilliard,
Hines,
Hood,
Howell
Hull,
Humphries,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,

Jones of Chatham,
Lamar of Bibb,
Lamb,
Lattimer of Appling,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Berrien,
Mallary,
Martin of Elbert,
McConnell of Catoosa,
McConnell of Cherokee,
McCulloch,
McDonald,
McDowell,
McGriff,
McLeod,
Moore of Bulloch,
Moore of Spalding,
Mounger,
Munnerlyn,
Nisbet,
Padget,
Patterson,
Phinizy of Richmond,
Pinson,
Pittman,
Pitts,
Poe,
Ponder,
Porter,
Poullain,
Prescott,
Pruitt,
Ramsey of Clinch,
Ramsey of Muscogee,
Reed,

| | |
|-----------------------|------------------------|
| Reese, | Strickland of Forsyth, |
| Rice, | Styles, |
| Richardson of Lee, | Thomas of Dooly, |
| Richardson of Twiggs, | Tidwell, |
| Robinson, | Tillman, |
| Robertson, | Tomlinson, |
| Roddey, | Toombs, |
| Rowe, | Troup, |
| Rutherford, | Tucker of Colquitt, |
| Sheffield of Calhoun, | Turner of Wilcox, |
| Sheffield of Early, | Usry, |
| Shell, | Varnadoe, |
| Shropshire of Floyd, | Walton, |
| Slater, | Whitehead, |
| Skelton, | Williams of McIntosh, |
| Simms, | Willis, |
| Singleton, | Winn of Cobb, |
| Sirmons, | Word, |
| Solomons, | Wright, |
| Spencer, | Young of Gordon. |
| Stephens of Pierce, | |

Those who voted in the negative are Messrs.

| | |
|-------------------------|-----------------------|
| ✓ Adams of Putnam, ✓ | Bush, |
| ✓ Alexander of Upson, ✓ | Byrd, |
| Arnold, | ✓ Cannon of Rabun, |
| Beasley, | Carswell, |
| Beck, | Casey, |
| Beck, | ? Cochran of Terrell, |
| ? Bell of Banks, | Cochran of Wilkinson, |
| Bell of Forsyth, | Cody, |
| Black, | Collins, |
| Bowen, | Corn, |
| Brewton, | ✓ Crawford of Greene, |
| Briscoe, | ✓ Davis of Putnam, |
| ✓ Brown of Marion, ✓ | Day, |
| ? Brown of Webster, | Dickerson, |
| Bullard, | Deupree, |

| | |
|---------------------------|----------------------------|
| Fain, | McRae, |
| Farnsworth, | Means, |
| Freeman, | Mershon, |
| Frier, | Milton, |
| French, | Mitchell, |
| Gordon, | Montgomery, |
| Graham, | Morrow, |
| Hale, | ✓ Neal of Columbia, |
| Haines, | ✓ Neal of Talbot, |
| Hamilton, | Newton, |
| ✓ Harris of Hancock, | Overstreet, |
| Henderson, | Paris, |
| Herrinton, | Patrick, |
| Hill of Harris, | Perkins, |
| ✓ Hill of Troup, | ✓ Phinizy of Monroe, |
| ✓ Hudson of Gwinnett, | Pickett, |
| Hudson of Harris, | Pierce, |
| Huggins, | Pofford, |
| Hust, | Price, |
| Jackson, | Reynolds, |
| ? Johnson of Clayton, | Safford, |
| ✓ Johnson of Hall, | Sherman, |
| ✓ Johnson of Jefferson, | Sharpe, |
| Jordon, | ✓ Shropshire of Chattooga, |
| Kenan, | ✓ Simmons of Gwinnett, |
| Ketchum, | ? Simmons of Pickens, |
| Killgore, | Sisk, |
| Kimsey, | ? Smith of Charlton, |
| Kirkland, | ✓ Smith of DeKalb, |
| Knox, | ? Smith of Johnson, |
| ✓ Lamar of Lincoln, | ✓ Smith of Talbot, |
| Langmade, | Spence, |
| ✓ Lattimer of Montgomery, | Stapleton, |
| Low, | Starr, |
| Long, | ✓ Stephens of Hancock, |
| ✓ Mabry of Heard, | ✓ Stephens of Monroe, |
| Manson, | ✓ Stephens of Taliaferro, |
| ✓ Martin of Lumpkin, | Street, |
| McDaniel, | ✓ Strickland of Tatnall, |

| | |
|------------------------|--------------------------|
| Taliaferro, | Wicker, |
| Teasley, | Willingham, |
| 7 Thomas of Whitfield, | - Williams of Chattooga, |
| Trippe, | ✓ Williams of Harris, |
| ✓ Tucker of Laurens, | Williamson, |
| ✓ Turner of Hancock, | ✓ Winn of Gwinnett, |
| Warner, | Wofford, |
| Waterhouse, | Wood, |
| Webb, | Yates, |
| Wellborn, | Yopp, |
| West, | ✓ Young of Irwin. |
| Welchel, | |

So the resolution was adopted.

Mr. Nisbet then moved to fill the blank in the second resolution with the word "seventeen," which was agreed to, and on his motion that resolution was adopted.

The President then announced the following as the "Committee of seventeen" under said resolution, to-wit:

MESSRS. NISBET,
 TOOMBS,
 JOHNSON of Jefferson.
 BARTOW,
 STEPHENS, of Taliaferro.
 BENNING,
 WILLIAMSON,
 BROWN, of Marion.
 HILL, of Harris.
 RICE,
 HILL, of Troup,
 TRIPP,
 CHASTAIN,
 COBB,

COLQUITT,
KENAN,
REESE.

The following message having been received from his Excellency the Governor, through Mr. Waters, his Secretary, was taken up and read:

EXECUTIVE DEPARTMENT,

MILLEDGEVILLE, January 18, 1861.

To the Convention:

In response to the resolution delivered to me by your Secretary on yesterday, I have the honor to state that I have no official information in my possession, of a character not generally made public, which could, in my opinion, facilitate the deliberations and actions of the Convention.

The original ordinance by which this State ratified the Constitution of the United States, has not, it seems, been preserved. I find a printed copy of it, however, in a supplement to the Journal of the Federal Constitution, from which the copy is taken which is herewith transmitted.

Though not strictly in response to the call made upon me, I take the liberty to lay before the Convention an original letter from the Governor of the State of New York, accompanied by certain joint resolutions passed by the Legislature of that State, on the eleventh day of this month, which were received at this Department by the mail of yesterday.

JOSEPH E. BROWN.

The following is a copy of the communication referred to by his Excellency, Governor Brown, and also of the resolutions:

STATE OF NEW YORK.
EXECUTIVE DEPARTMENT,

ALBANY, January 11, 1861.

SIR: In obedience to the request of the Legislature of this State, I transmit herewith a copy of the concurrent resolutions of that body, adopted this day, tendering the aid of the State to the President of the United States, to enable him to enforce the Laws, and to uphold the authority of the Federal Government.

I have the honor to be,

Your Excellency's Obedient Servant,

EDWIN D. MORGAN.

His Excellency, JOSEPH E. BROWN,

Governor of the State of Georgia, Milledgeville.

Concurrent Resolutions tendering aid to the President of the United States in support of the Constitution and the Union.

STATE OF NEW YORK.

IN ASSEMBLY January 11, 1861.

Whereas, Treason as defined by the Constitution of the United States, exists in one or more of the States of this Confederacy, and

Whereas, The insurgent State of South Carolina,

after seizing the Post-Office, Custom House, Moneys and Fortifications of the Federal Government, has, by firing into a vessel ordered by the Government to convey troops and provisions to Fort Sumter, virtually declared war; and whereas, the forts and property of the United States Government in Georgia, Alabama and Louisiana, have been unlawfully seized with hostile intentions; and whereas, further, Senators in Congress avow and maintain their treasonable acts, therefore

Resolved, (If the Senate concur), That the Legislature of New York, profoundly impressed with the value of the Union, and determined to preserve it unimpaired, hail with joy the recent firm, dignified and patriotic Special Message of the President of the United States, and that we tender to him, through the Chief Magistrate of our own State, whatever aid in men and money he may require to enable him to enforce the laws, and uphold the authority of the Federal Government. And that in defense of "the more perfect Union," which has conferred prosperity and happiness upon the American people, renewing the pledge given and redeemed by our Fathers, we are ready to devote "our fortunes, our lives, and our sacred honor" in upholding the Union and the Constitution.

Resolved, (If the Senate concur,) That the Union-loving Representatives and citizens of Delaware, Maryland, Virginia, North Carolina, Kentucky, Missouri and Tennessee, who labor with devoted courage and patriotism to withhold their States from the cortex of Secession, are entitled to the gratitude and admiration of the whole people.

Resolved, (If the Senate concur,) That the Governor be respectfully requested to forward, forthwith, copies of the foregoing resolutions to the President of the Nation, and the Governors of all the States of the Union.

The preceding Preamble and Resolutions were duly passed.

By order.

H. A. RISLEY, Clerk.

In Senate, January 11, 1861, the preceding Preamble and Resolutions were duly passed.

By order.

JAMES TERWILLIGER, Clerk.

Mr. Toombs offered the following resolution, which was taken up, read and adopted:

Resolved, Unanimously, in response to the resolutions of New York, referred to in the Governor's Message, that this Convention highly approves the energetic and patriotic conduct of Governor Brown in taking possession of Fort Pulaski by Georgia troops, and requests him to hold possession until the relations of Georgia with the Federal Government be determined by this Convention and that a copy of this resolution be transmitted to the Governor of New York.

Mr. Bartow offered the following resolution:

Resolved, That the President do appoint the following "Standing Committees" for the Convention, each to consist of thirteen members:

1st. A Committee on relations with the slave-holding States of North America.

2d. A Committee on Foreign Relations.

3d. A Committee on Commercial Relations, and Postal Arrangements.

4th. A Committee on Military Affairs.

5th. A Committee on the Constitution of this State, and the Constitution and Laws of the United States.

Mr. Martin introduced the following resolution:

Resolved, That the Governor be requested to furnish this Convention with a statement of the result of the election of delegates for this Convention, specifying the whole number of votes polled in each county, and the number received by each candidate.

On motion the Convention then adjourned till ten o'clock tomorrow morning.

SATURDAY, JANUARY 19, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Willes.

A quorum being present, the journal of yesterday was read.

On motion, Mr. Harris, of Meriwether, and Mr. Strother, of Lincoln, got leave to record their votes upon the resolutions of Mr. Nisbet adopted on yesterday, they having been absent when the vote was taken, on account of sickness.

Mr. Clarke moved to reconsider the resolution adopted on yesterday to close the doors of the hall dur-

ing the sessions of this Convention, in order to amend the same by inserting the words "excepting the door of the gallery."

The motion to reconsider was lost.

Mr. Varnadoe offered the following resolution:

Resolved, That the reporters allowed seats on this floor by the resolution the second day of its session be permitted to hold seats in the gallery during the sessions with closed doors.

The resolution was taken up and lost.

Mr. Martin moved to take up the resolution offered by him on yesterday, calling upon the Governor for information concerning the number of votes given by the people at the election for delegates to this Convention.

The resolution was taken up.

Mr. Hood moved the indefinite postponement of the same.

Whereupon the yeas and nays were demanded.

There are yeas 168; nays 127, to-wit:

Those who voted in the affirmative are Messrs.:

Adams, of Camden,
Alexander, of Fulton,
Algood,
Anderson,

Bailey,
Banks,
Bartow,
Beall, of Troup,

| | |
|---------------------------|-------------------------|
| Benning, | Fort, of Wayne, |
| Blalock, | Fouche, |
| Bozeman, | Furlow, |
| Briggs, | Gaulden, |
| Brown, of Houston, | Gardner, |
| Bryan, | Garvin, |
| Buchanan, | Gee, |
| Burch, | Gholston, |
| Burnett, | Glenn, of Fulton, |
| Butts, | Glenn, of Oglethorpe, |
| Calhoun, | Glover, |
| Cannon, of Wayne, | Giles, |
| Cantrell, | Gray, |
| Carson, | Gresham, |
| Chastain, | Gunn, |
| Cheshier, | Hall, |
| Clark, | Hammond, |
| Cleveland, | Hansell, |
| Cobb, | Hargroves, |
| Coleman, | Harville, |
| Colquitt, | Harris, of Glynn, |
| Cox, | Harris, of McIntosh, |
| Dabney, | Harris, of Meriwether, |
| Daniel, | Harvey, |
| Davis, of Chattahoochee, | Hawkins, |
| Davis, of Putnam, | Head, |
| Davenport, of Clay, | Hendry, |
| Davenport, of Sumter, | Hendricks, |
| Dennis, | Hill, of Hart, |
| Douglas, | Hilliard, |
| Dozier, | Hines, |
| Dewberry, | Hood, |
| Ellington, | Howell, |
| Fleming, | Hull, |
| Flewellen, | Humphries, |
| Fields, | Jennings, |
| Fitzpatrick, | Johnson, of Oglethorpe, |
| Ford, | Jones, of Burke, |
| Fort, of Stewart, | Jones, of Chatham, |

| | |
|-------------------------|-------------------------|
| Lamar, of Bibb, | Reed, |
| Lamb, | Reese, |
| Lattimer, of Appling, | Rice, |
| Lester, | Richardson, of Lee, |
| Lindley, | Richardson, of Twiggs, |
| Logan, | Robinson, |
| Logue, | Robertson, |
| Lyle, | Roddey, |
| Mabry, of Berrien, | Rowe, |
| Mallary, | Rutherford, |
| Martin, of Elbert, | Sheffield, of Calhoun, |
| McConnell, of Catoosa, | Sheffield, of Early, |
| McConnell, of Cherokee, | Shell, |
| McCullough, | Shropshire, of Floyd, |
| McDonough, | Skelton, |
| McDowell, | Simms, |
| McGriff, | Singleton, |
| McLeod, | Solomons, |
| Moore, of Bulloch, | Spencer, |
| Moore, of Spalding, | Stephens, of Monroe, |
| Mounger, | Stephens, of Pierce, |
| Munnerlyn, | Strickland, of Forsyth, |
| Nisbet, | Styles, |
| Padgett, | Teasley, |
| Paris, | Thomas, of Dooly, |
| Patterson, | Tidwell, |
| Phinizy, of Monroe, | Tillman, |
| Phinizy, of Richmond, | Tomlinson, |
| Pinson, | Toombs, |
| Pittman, | Troup, |
| Pitts, | Tucker, of Colquitt, |
| Poe, | Turner, of Wilcox, |
| Ponder, | Usry, |
| Porter, | Varnadoe, |
| Poullain, | Walton, |
| Prescott, | Waterhouse, |
| Pruett, | Whitehead, |
| Ramsey, of Clinch, | Williams, of McIntosh, |
| Ramsey, of Muscogee, | Willis, |

Winn, of Cobb,
Word,

Wright,
Young, of Gordon.

Those who voted in the negative are Messrs.:

Adams, of Putnam,
Alexander, of Upson,
Allen,
Arnold,
Beasley,
Beck,
Beall, of Forsyth,
Bell, of Banks,
Black,
Bowen,
Brewton,
Briscoe,
Brown, of Marion,
Brown, of Webster,
Bullard,
Bush,
Byrd,
Cannon, of Rabun,
Carswell,
Casey,
Cochran, of Terrell,
Cochran, of Wilkinson,
Cody,
Collins,
Corn,
Crawford, of Greene,
Day,
Dickerson,
Deupree,
Fain,
Farnsworth,
Freeman,
Frier,
French,

Gordon,
Graham,
Hale,
Haines,
Hamilton,
Harris, of Hancock,
Henderson,
Herrington,
Hill, of Harris,
Hill, of Troup,
Hudson, of Gwinnett,
Hudson, of Harris,
Huggins,
Hurst,
Jackson,
Johnson, of Clayton,
Johnson, of Hall,
Johnson, of Jefferson,
Jordon,
Kenan,
Ketchum,
Killgore,
Kimsey,
Kirkland,
Knox,
Lamar, of Lincoln,
Langmade,
Lattimer, of Montgomery,
Low,
Long,
Mabry, of Heard,
Manson,
Martin, of Lumpkin,
McDaniel,

| | |
|---------------------------|-------------------------|
| McLain, | Smith, of Johnson, |
| McRae, | Smith, of Talbot, |
| Means, | Spence, |
| Mershon, | Stapleton, |
| Milton, | Starr, |
| Mitchell, | Stephens, of Hancock, |
| Montgomery, | Stephens, of Talbot, |
| Morrow, | Street, |
| Neal, of Columbia, | Strickland, of Tatnall, |
| Neal, of Talbot, | Taliaferro, |
| Newton, | Thomas, of Whitfield, |
| Overstreet, | Trippe, |
| Patrick, | Turner, of Hancock, |
| Perkins, | Warner, |
| Pickett, | Webb, |
| Pierce, | Wellborn, |
| Pofford, | West, |
| Price, | Whelchel, |
| Reynolds, | Wicker, |
| Saffold, | Willingham, |
| Sharman, | Williams, of Chattooga, |
| Sharpe, | Williams, of Harris, |
| Shropshire, of Chattooga, | Williamson, |
| Slater, | Winn, of Gwinnett, |
| Simmons, of Gwinnett, | Wofford, |
| Simmons, of Pickens, | Wood, |
| Sirmons, | Yates, |
| Sisk, | Yopp, |
| Smith, of Charlton, | Young, of Irwin. |
| Smith, of DeKalb, | |

So the motion prevailed.

On motion of Mr. Stephens, of Taliaferro, the door-keeper was directed to employ an assistant.

Mr. Nisbet, from the committee appointed to report an Ordinance to assert the right and fulfill the obligation

of the State of Georgia to secede from the Union, reported as following:

AN ORDINANCE

To dissolve the Union between the State of Georgia and other States united with her under a compact of government entitled "The Constitution of the United States of America."

We, the people of the State of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:

That the ordinance adopted by the people of the State of Georgia in Convention on the second day of January in the year of our Lord seventeen hundred and eighty-eight, whereby the Constitution of the United States of America was assented to, ratified and adopted; and also all acts and parts of acts of the General Assembly of this State ratifying and adopting amendments of the said Constitution are hereby repealed, rescinded and abrogated.

We do further declare and ordain. That the Union now subsisting between the State of Georgia and other States, under the name of the "United States of America," is hereby dissolved, and that the State of Georgia is in the full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State.

The report was taken up, and, on motion of Mr. Toombs, the ordinance was twice read.

Mr. Hill, of Troup, moved that the preamble and resolution offered by Mr. Johnson, of Jefferson, on yesterday, as a substitute for the resolutions adopted by the Convention raising the committee to report an ordinance to assert the right and fulfill the obligation of the State of Georgia to secede from the Union, be received as a substitute for the same.

On which motion the yeas and nays were demanded:

There were yeas 133; nays 164, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|------------------------|------------------------|
| Adams, of Putnam, | Corn, |
| Alexander, of Upson, | Crawford, of Greene, |
| Arnold, | Davis, of Putnam, |
| Beasley, | Day, |
| Beck, | Dickerson, |
| Bell, of Banks, | Deupree, |
| Bell, of Forsyth, | Fain, |
| Black, | Farnsworth, |
| Bowen, | Fields, |
| Brewton, | Freeman, |
| Briscoe, | Frier, |
| Brown, of Marion, | French, |
| Brown, of Webster, | Gordon, |
| Bullard, | Graham, |
| Bush, | Hale, |
| Byrd, | Haines, |
| Cannon, of Rabun, | Hamilton, |
| Carswell, | Harris, of Hancock, |
| Casey, | Harris, of Meriwether, |
| Cochran, of Terrell, | Henderson, |
| Cochran, of Wilkinson, | Herrington, |
| Cody, | Hill, of Harris, |
| Collins, | Hill, of Troup, |

| | |
|--------------------------|---------------------------|
| Hudson, of Gwinnett, | Phinizy, of Monroe, |
| Hudson, of Harris, | Pickett, |
| Huggins, | Pierce, |
| Hurst, | Pofford, |
| Jackson, | Price, |
| Johnson, of Clayton, | Reynolds, |
| Johnson, of Hall, | Saffold, |
| Johnson, of Jefferson, | Sharman, |
| Jordon, | Sharpe, |
| Kenan, | Shropshire, of Chattooga, |
| Ketchum, | Simmons, of Gwinnett, |
| Kilgore, | Simmons, of Pickens, |
| Kimsey, | Sisk, |
| Kirkland, | Smith, of Charlton, |
| Knox, | Smith, of DeKalb, |
| Lamar, of Lincoln, | Smith, of Johnson, |
| Langmade, | Smith, of Talbot, |
| Lattimer, of Montgomery, | Spence, |
| Low, | Stapleton, |
| Long, | Starr, |
| Mabry, of Heard, | Stephens, of Hancock, |
| Manson, | Stephens, of Monroe, |
| Martin, of Lumpkin, | Stephens, of Taliaferro, |
| McDaniel, | Street, |
| McLain, | Strickland, of Tatnall, |
| McRae, | Taliaferro, |
| Means, | Teasley, |
| Mershon, | Thomas, of Whitfield, |
| Milton, | Trippe, |
| Mitchell, | Tucker, of Laurens, |
| Montgomery, | Turner, of Hancock, |
| Morrow, | Warner, |
| Neal, of Columbia, | Waterhouse, |
| Neal, of Talbot, | Webb, |
| Newton, | Wellborn, |
| Overstreet, | West, |
| Paris, | Whelchel, |
| Patrick, | Wicker, |
| Perkins, | Willingham, |

| | |
|-------------------------|------------------|
| Williams, of Chattooga, | Wood, |
| Williams, of Harris, | Yates, |
| Williamson, | Yopp, |
| Winn, of Gwinnett, | Young, of Irwin. |
| Wofford, | |

Those who voted in the negative are Messrs.:

| | |
|-----------------------|--------------------------|
| Adams, of Camden, | Dabney, |
| Alexander, of Fulton, | Daniel, |
| Algood, | Davis, of Chattahoochee, |
| Allen, | Davenport, of Clay, |
| Anderson, | Davenport, of Sumter, |
| Bailey, | Dennis, |
| Banks, | Douglass, |
| Bartow, | Dozier, |
| Beall, of Troup, | Dewberry, |
| Benning, | Ellington, |
| Blalock, | Fleming, |
| Bozeman, | Flewellen, |
| Briggs, | Fitzpatrick, |
| Brown, of Houston, | Ford, |
| Bryan, | Fort, of Stewart, |
| Buchanan, | Fort, of Wayne, |
| Burch, | Fouche, |
| Burnett, | Furlow, |
| Butts, | Gaulden, |
| Calhoun, | Gardner, |
| Cannon, of Wayne, | Garvin, |
| Cantrell, | Gee, |
| Carson, | Gholtson, |
| Chastain, | Glenn, of Fulton, |
| Cheshier, | Glenn, of Oglethorpe, |
| Clarke, | Glover, |
| Cleveland, | Giles, |
| Cobb, | Gray, |
| Coleman, | Gresham, |
| Colquitt, | Gunn, |
| Cox, | Hall, |

Hammond,
Hansell,
Hargroves,
Harville,
Harris, of Glynn,
Harris, of McIntosh,
Harvey,
Hawkins,
Head,
Hendry,
Hendricks,
Hill, of Hart,
Hilliard,
Hines,
Hood,
Howell,
Hull,
Humphries,
Jennings,
Johnson, of Oglethorpe,
Jones, of Burke,
Jones, of Chatham,
Lamar, of Bibb,
Lamb,
Lattimer, of Appling,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mabry, of Berrien,
Mallary,
Martin, of Elbert,
McConnell, of Catoosa,
McConnell, of Cherokee,
McCulloch,
McDonald,
McDowell,
McGriff,

McLeod,
Moore, of Bulloch,
Moore, of Spalding,
Mounger,
Munnerlyn,
Nisbet,
Padget,
Patterson,
Phinizy, of Richmond,
Pinson,
Pittman,
Pitts,
Poe,
Ponder,
Porter,
Poullain,
Prescott,
Pruett,
Ramsey, of Clinch,
Ramsey, of Muscogee,
Reed,
Reese,
Rice,
Richardson, of Lee,
Richardson, of Twiggs,
Robinson,
Robertson,
Roddey,
Rowe,
Rutherford,
Sheffield, of Calhoun,
Sheffield, of Early,
Shell,
Shropshire, of Floyd,
Slater,
Skelton,
Simms,
Singleton,
Sirmons,

| | |
|-------------------------|------------------------|
| Solomons, | Walker, of Colquitt, |
| Spencer, | Warner, of Wilcox, |
| Stephens, of Pierce, | Way, |
| Strickland, of Forsyth, | Whitnadoe, |
| Strother, | Whitton, |
| Styles, | Whitehead, |
| Thomas, of Dooly, | Williams, of McIntosh, |
| Tidwell, | Willis, |
| Tillman, | Winn, of Cobb, |
| Tomlinson, | Word, |
| Toombs, | Wright, |
| Troup, | Young, of Gordon. |

So the motion was lost.

Mr. Nisbet moved that the Ordinance be put upon its passage.

Whereupon Mr. Simmons, of Gwinnett, offered the following amendment:

“Provided that this Ordinance shall go into effect on the third day of March next.”

Mr. Hood moved the previous question, which being seconded, the question came up on the passage of the Ordinance, when the yeas and nays were demanded.

There are yeas 208; nays 89—the President voting in the affirmative—to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|-----------------------|-----------|
| Adams, of Camden, | Anderson, |
| Alexander, of Fulton, | Bailey, |
| Algood, | Banks, |
| Allen, | Bartow, |

| | |
|--------------------------|------------------------|
| Beasley, | Davenport, of Clay, |
| Beall, of Troup, | Davenport, of Sumter, |
| Benning, | Dennis, |
| Black, | Douglas, |
| Blalock, | Dozier, |
| Bowen, | Dewberry, |
| Bozeman, | Ellington, |
| Briggs, | Fleming, |
| Briscoe, | Flewellen, |
| Brown, of Houston, | Fields, |
| Brown, of Marion, | Fitzpatrick, |
| Brown, of Webster, | Ford, |
| Bryan, | Fort, of Stewart, |
| Buchanan, | Fort, of Wayne, |
| Bullard, | Fouche, |
| Burch, | French, |
| Burnett, | Furlow, |
| Bush, | Gaulden, |
| Butts, | Gardner, |
| Calhoun, | Garvin, |
| Cannon, of Wayne, | Gee, |
| Cantrell, | Gholston, |
| Carson, | Glenn, of Fulton, |
| Casey, | Glenn, of Oglethorpe, |
| Chastain, | Glover, |
| Cheshier, | Giles, |
| Clarke, | Gray, |
| Cleveland, | Gresham, |
| Cobb, | Gunn, |
| Cody, | Hall, |
| Coleman, | Haines, |
| Collins, | Hammond, |
| Colquitt, | Hansell, |
| Cox, | Hargroves, |
| Crawford, of Greene, | Harville, |
| Crawford, of Richmond, | Harris, of Glynn, |
| Dabney, | Harris, of Hancock, |
| Daniel, | Harris, of McIntosh, |
| Davis, of Chattahoochee, | Harris, of Meriwether, |

| | |
|-------------------------|------------------------|
| Harvey, | McCulloch, |
| Hawkins, | McDaniel, |
| Head, | McDonald, |
| Henderson, | McDowell, |
| Hendry, | McGriff, |
| Hendricks, | McLeod, |
| Hill, of Harris, | Means, |
| Hill, of Hart, | Mershon, |
| Hill, of Troup, | Moore, of Bulloch, |
| Hilliard, | Moore, of Spalding, |
| Hines, | Montgomery, |
| Hood, | Mounger, |
| Howell, | Munnerlyn, |
| Hudson, of Harris, | Neal, of Columbia, |
| Hull, | Nisbet, |
| Humphries, | Padget, |
| Jennings, | Patterson, |
| Johnson, of Clayton, | Phinizy, of Richmond, |
| Johnson, of Oglethorpe, | Pinson, |
| Jones, of Burke, | Pittman, |
| Jones, of Chatham, | Pitts, |
| Ketchum, | Poe, |
| Lamar, of Lincoln, | Ponder, |
| Lamar, of Bibb, | Porter, |
| Lamb, | Poullain, |
| Langmade | Prescott, |
| Lattimer, of Appling, | Pruett, |
| Low, | Ramsey, of Clinch, |
| Lester, | Ramsey, of Muscogee, |
| Lindley, | Reed, |
| Logan, | Reese, |
| Logue, | Rice, |
| Long, | Richardson, of Lee, |
| Lyle, | Richardson, of Twiggs, |
| Mabry, of Berrien, | Robinson, |
| Mallary, | Robertson, |
| Martin, of Elbert, | Roddey, |
| McConnell, of Catoosa, | Rowe, |
| McConnell, of Cherokee, | Rutherford, |

Saffold,
Sheffield, of Chatham,
Sheffield, of Early,
Shell,
Shropshire, of Floyd,
Slater,
Skelton,
Simms,
Singleton,
Sirmons,
Sisk,
Smith, of Talbot,
Solomons,
Spence,
Spencer,
Stephens, of Monroe,
Stephens, of Pierce,
Strickland, of Forsyth,
Strother,
Styles,
Teasley,
Thomas, of Dooly,

Thomas, of Whitfield,
Tidwell,
Tillman,
Tomlinson,
Toombs,
Troup,
Tucker, of Colquitt,
Turner, of Hancock,
Turner, of Wilcox,
Usry,
Varnadoe,
Walton,
Whitehead,
Wicker,
Williams, of Harris,
Williams, of McIntosh,
Willis,
Winn, of Cobb,
Word,
Wright,
Yopp,
Young, of Gordon.

Those who voted in the negative are Messrs.:

Alexander, of Upson,
Arnold,
Beck,
Bell, of Banks,
Bell, of Forsyth,
Brewton,
Byrd,
Cannon, of Rabun,
Carswell,
Cochran, of Terrell,
Cochran, of Wilkinson,
Corn,
Davis, of Putnam,
Day,

Dickerson,
Deupree,
Fain,
Farnsworth,
Freeman,
Frier,
Gordon,
Graham,
Hale,
Hamilton,
Herrington,
Hudson, of Gwinnett,
Huggins,
Hust,

| | |
|--------------------------|---------------------------|
| Jackson, | Sharpe, |
| Johnson, of Hall, | Shropshire, of Chattooga, |
| Johnson, of Jefferson, | Simmons, of Gwinnett, |
| Jordon, | Simmons, of Pickens, |
| Kenan, | Smith, of Charlton, |
| Killgore, | Smith, of DeKalb, |
| Kimsey, | Smith, of Johnson, |
| Kirkland, | Stapleton, |
| Knox, | Starr, |
| Lattimer, of Montgomery, | Stephens, of Hancock, |
| Mabry, of Heard, | Stephens, of Taliaferro, |
| Manson, | Street, |
| Martin, of Lumpkin, | Strickland, of Tatnall, |
| McLain, | Taliaferro, |
| McRae, | Trippe, |
| Milton, | Tucker, of Laurens, |
| Mitchell, | Warner, |
| Morrow, | Waterhouse, |
| Neal, of Talbot, | Webb, |
| Newton, | Wellborn, |
| Overstreet, | West, |
| Paris, | Whelchel, |
| Patrick, | Willingham, |
| Perkins, | Williams, of Chattooga, |
| Phinizy, of Monroe, | Williamson, |
| Pickett, | Winn, of Gwinnett, |
| Pierce, | Wofford, |
| Pofford, | Wood, |
| Price, | Yates, |
| Reynolds, | Young, of Irwin. |
| Sharman, | |

So the ordinance was adopted.

Whereupon the President said that it was his privilege and pleasure to declare that the State of Georgia was free, sovereign, and independent.

Mr. Beall, of Troup, offered the following resolution:

Resolved, That the Secretary of the Convention prepare parchment upon which to enrol the ordinance of secession for the signature of the members of the Convention, and that the same be deposited among the archives of the State of Georgia.

Mr. Nisbet offered the following as a substitute for the foregoing:

Resolved, That the ordinance of secession be engrossed, under the direction of a committee of three to be appointed by the chair, upon parchment, and reported to the Convention for signature at 12 o'clock on Monday next, and when signed that it be deposited in the archives of the State.

Resolved, That the committee appointed by the above resolution be, and they are hereby instructed to invite his Excellency the Governor, the Commissioners from South Carolina and Alabama, and the Judges of the Supreme Court, who may be in attendance, to be present at the signing of the ordinance.

The substitute was received and adopted.

The chair announced the following as the committee under the foregoing resolution, to-wit:

Messrs. Beall, of Troup; Varnadoe, of Liberty; Hawkins, of Sumter.

On motion of Mr. Bartow, the resolution offered by

him on yesterday for the appointment of standing committees, was taken up and agreed to.

Mr. Bartow offered the following resolution, which was taken up and read:

Resolved, That until otherwise ordered by this Convention, the Collectors of Customs and Postmasters within this State, shall continue to discharge the duties of their offices, in accordance with the regulations heretofore governing them.

Mr. Nisbet moved to amend the same by inserting after the word "*Postmasters*" the words "*and all civil Federal officers.*"

The amendment was adopted and the resolution as amended was passed.

Mr. Alexander, of Upson, offered the following resolutions which were read:

Resolved, as the sense of this Convention, That the people of Georgia would be willing that the Federal Union, now broken and dissolved, should be reconstructed whenever the same can be done upon a basis that would secure, permanently and unequivocally, the full measure of the rights and equality of the people of the slaveholding States.

Resolved, That we recommend to any Convention that may be held by the slave-holding State the consideration of the policy indicated by the foregoing resolution, and that said Convention, in the event it concurs in the same, should consider and declare the

terms and conditions upon which such reconstructions may be had.

Resolved, That the President of this Convention cause a copy of these resolutions to be forwarded to any Convention that may be held by the slave-holding States.

Leave of absence was granted to Messrs. Strother, of Lincoln, and Banks, of Stewart, on account of sickness.

On motion of Mr. Hood, the Convention adjourned till ten o'clock Monday morning.

MONDAY, JANUARY 21, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Crawford.

A quorum being present, the journal was read.

Mr. Simms, of Decatur, moved to reconsider so much of the journal of yesterday, as relates to the passage of the resolution, offered by Mr. Bartow, in order to strike out the amendment thereto, concerning "*civil Federal officers.*"

The motion did not prevail.

On motion of Mr. Harris, of Meriwether, Mr. Martin, a delegate from the same county, was permitted to record his vote on each of the propositions offered by Messrs. Nisbet and Johnson, of Jefferson, to the Convention—

that delegate having been prevented from voting on the same by indisposition.

Mr. Martin, therefore, voted in the affirmative for the substitute offered by Mr. Johnson, of Jefferson, and in the negative on the resolutions offered by Mr. Nisbet, and in the affirmative on the adoption of the ordinance of secession.

Mr. Fleming laid on the table the following ordinance which was read:

AN ORDINANCE

To prescribe the mode in which the acts, records and judicial proceedings in each of the States lately composing the Union, known as the United States of America, and the records and exemplifications of office books, which are or may be kept in any public office of any such State, not pertaining to a Court, shall be authenticated so as to take effect in the State of Georgia.

The people of Georgia, in Convention assembled, do ordain and declare, and it is hereby ordained and declared as follows, to-wit:

1. That until further legislation by the General Assembly, the records and judicial proceedings of the Courts of any of the States lately composing the Union, known as the United States of America, shall be proved or admitted in any of the Courts within the State of Georgia, by the attestation of the Clerk and the Seal of the Court annexed, if there be a Seal, together with the certificate of the Judge, Chief Justice, or presiding

Magistrate, as the case may be, that the attestation is in due form. And the said records and judicial proceedings authenticated as aforesaid, shall have such faith and credit given to them in any Court of the State of Georgia, as they have law or usage in the Courts of the State, from which the said records are or shall be taken.

Sec. 2. That until further legislation, all records and exemplifications of office books, which are, or may be kept in any State of such Union, not appertaining to a Court, shall be proved or admitted in any other Court or office in this State, by the attestation of the keeper of said records or books, with the Seal of his office thereto annexed, if there be a Seal, together with the certificate of the presiding Justice of the Court of the county or district, as the case may be, in which such office is or may be kept, or of the Governor, Secretary of State, Chancellor or Keeper of the great Seal of the State, that the said attestation is in due form and by the proper officer. And the said certificate, if given by the presiding Justice of a Court, shall be further authenticated by the Clerk or protonotary of the said Court, who shall certify under his hand and the Seal of his office, that the said presiding Justice is duly commissioned and qualified, or if the said certificate be given by the Governor, the Secretary of State, or Keeper of the great Seal, it shall be under the great Seal of the State in which such certificate is made. And the said records and exemplifications authenticated as aforesaid, shall have such faith and credit given to them within this State, as they have law or usage in the Courts or office of the State whence the same are or shall be taken.

Sec. 3. That until such further legislation, the provisions of this ordinance shall apply to the public acts, records, office books, judicial proceedings, Courts and offices of the respective territories lately of said Union, and countries lately subject to the jurisdiction thereof.

Mr. Cochran, of Wilkinson, laid on the table the following preamble and resolutions which were read:

“The aggressions of the people of the Northern States, of the Republic of the United States of America, upon the constitutional rights of the State of Georgia, having been deemed by the people of Georgia sufficient cause to compel her in the maintenance of her rights and honor, to withdraw her connection with the Federal Union, and to resume her sovereignty and independence, justice to herself requires that she should demand her proportional part of the public property, and intending to preserve untarnished her honor, in the discharge of every moral obligation, and in good faith to the creditors of the General Government, contracted with while Georgia was a member thereof, urge her to a guarantee of the payment of her *pro rata* part of the public debt of the United States, existing at the time of the act of secession of this State from the Union.

Be it therefore resolved, That Georgia will demand and enforce her rights to her proportion of the public property held by the General Government at the time of the dissolution of the partnership.

Resolved further, That Georgia will assume and guarantee the payment of her *pro rata* part of the public debt of the United States, existing at the time of her secession from the Union.

Resolved further, That the foregoing resolutions be communicated to the Governor, with the request that he lay them before the Legislature upon its re-assembling, with the recommendation of this Convention that the Legislature take such action as may be necessary to carry the same into effect.

Resolved further, That this Convention of the people of Georgia respectfully call the attention of our sister seceding States to this subject and ask their co-operation in the policy, and that the Governor of Georgia be requested to communicate the same to the respective Governors thereof.

Mr. Varnadoe offered the following ordinance which was read:

“Whereas, many of the citizens of Georgia hold office in the Army or Navy of the United States, who, impelled by patriotic impulses, will resign and return to their native State:

“Therefore, The people of Georgia, in Convention, do hereby ordain, that such shall be allowed the same rank and grade in the Army and Navy in the commonwealth of Georgia, with the same pay and emoluments, which they receive in the Army and Navy of the United States.”

Mr. Johnson, of Clayton, offered the following resolution, which was taken up and read:

“Resolved, That the Hon. T. L. Guerry, President of the Senate, and the Hon. C. J. Williams, Speaker of

the House of Representatives be, and they are hereby invited to seats on the floor of this Convention.

“And be it further resolved, That the gallery be opened from day to day, unless otherwise ordered by the President, for the reception of the ladies, and that this Convention respectfully invite them to seats in the same.”

Mr. Cannon, of Wayne, moved to strike out the word *“ladies”* in the last resolution, which was carried.

Mr. Styles moved to insert *“reporters,”* pending the consideration of which Mr. Hill, of Troup, moved to strike out all after the word *“President,”* which was carried.

Mr. Briscoe moved to divide the resolutions, which motion prevailed.

Whereupon, the first resolution was adopted.

The second resolution, as amended, was then put upon its passage, when Mr. Styles moved to insert, *“and that the reporters be invited to seats upon the floor.”*

Mr. Cannon, of Wayne, moved to amend by limiting the number of reporters to *“ten,”* which motion prevailed.

The amendment of Mr. Styles, as amended, did not prevail.

On the question being put, the second resolution in the following form was adopted, to-wit:

And be it further resolved, That the gallery be opened from day to day, unless otherwise ordered by the President.

Mr. Nisbet offered the following preamble and resolution which were taken up and read:

“Whereas, The lack of unanimity in the action of this Convention, in the passage of the Ordinance of Secession, indicates a difference of opinion amongst the members of the Convention, not so much as to the rights which Georgia claims, or the wrongs of which she complains, as to the remedy and its application before a resort to other means of redress;

And whereas, It is desirable to give expression to that intention which really exists among all members of this Convention, to sustain the State in the course of action which she has pronounced to be proper for the occasion; therefore,

Resolved, That all members of this Convention, including those who voted against the said ordinance, as well as those who voted for it, will sign the same as a pledge of the unanimous determination of this Convention to sustain and defend the State, in this her chosen remedy, with all its responsibility and consequences, without regard to individual approval or disapproval of its adoption.

Mr. Nisbet then moved their adoption, which motion prevailed.

Mr. Shropshire, of Floyd, laid upon the table the following resolution, which was read:

“Whereas, It is now, more than ever before, the duty of Georgia to husband all her resources, and whereas, an economical administration of the Government will greatly tend to the accomplishment of this object.

Therefore be it resolved, That a committee of ---- be appointed, whose duty it shall be to inquire into the power of this Convention, to reduce the number of the Senators and Representatives in the General Assembly of Georgia, and if the power to do so, exists in this body, to report an ordinance or such other measure as will effect this purpose, and on such basis as they may think best.

Mr. Beall, of Troup, from the committee to prepare the Ordinance of Secession for the signatures of the delegates, reported that the committee had discharged that duty, and that the Ordinance was engrossed upon parchment, and was subject to the disposition of the Convention.

Mr. Cobb offered the following resolutions, which were read:

Resolved, That the committee on foreign affairs, (when appointed), be requested to nominate to this Convention for its ratification, the names of two proper persons to represent the State of Georgia, as Commissioners to the Conventions of the people of the States of Louisiana and Texas respectively.

Resolved further, That the same committee be requested to consider and report upon the propriety of requesting those slave-holding States, which shall have

not seceded by the fourth day of February next, to appoint Commissioners to represent such States, at the Congress of the seceding States to be held at Montgomery on that day.

He then moved to take up and adopt the first resolution.

Which motion prevailed.

Mr. Martin moved to take up his resolution, directing that the Ordinance of Secession be published by proclamation of the Governor and submitted to the people of this State for ratification by the 20th of February, next, etc.

The motion to take up prevailed.

He then moved that the resolution be adopted.

The motion was lost.

Mr. Chastain laid on the table the following resolution, which was read:

Resolved, That this Convention in behalf of the Republic of Georgia, assume the payment of debt to become due carriers of mail from and after the passage of the Ordinance of Secession.

The President, at 12 o'clock M., announced to the Convention, that the hour had arrived for signing the Ordinance of Secession, and having first placed his signature thereto, the Secretary was directed to "call the counties," when the delegates proceeded to affix their signatures to the same.

Mr. Nisbet then moved that the Committee to prepare the Ordinance of Secession for the signatures of the delegates, now cause the great Seal of the State to be attached thereto.

The motion prevailed.

Mr. Hilliard offered the following resolution, which was taken up, read, and adopted:

Resolved, That the President of this Convention cause a certified copy of the Ordinance just signed, to be sent to our Senators and Representatives in the Congress of the United States; and also a similar copy to the President of the United States; and a similar copy to the Governor of each of the States lately composing the United States of America.

The President announced the following "Standing Committees," to-wit:

Committee on the Relations with the slave-holding States of North America:

MESSRS. BENNING,
POULLAIN,
ALEXANDER, of Upson,
HAWKINS,
WOFFORD,
LAMAR, of Bibb,
LANGMADE,
STYLES,
STEPHENS, of Monroe,
SPENCER,

McDANIEL,
MEANS,
CANNON, of Wayne.

Committee on Foreign Relations:

Messrs. TOOMBS,
STEPHENS, of Taliaferro,
COLQUITT,
HULL,
JOHNSON, of Jefferson,
POE,
BRISCOE,
FLEMING,
WARNER,
HANSELL,
DOUGLASS,
CHASTAIN,
DAVIS, of Putnam.

Committee on Commercial and Postal Arrangements:

Messrs. ANDERSON,
HARRIS, of Glynn,
BEALL, of Forsyth,
BAILEY,
HUDSON, of Harris,
ALEXANDER, of Fulton,
FRENCH,
HOOD,
CALHOUN,
SHROPSHIRE, of Floyd,
DABNEY,
SIMMS,
CASEY,

Committee on Military Affairs:

Messrs. BARTOW,
TIDWELL,
BROWN, of Marion,
BRYAN,
ROBERTSON,
MONTGOMERY,
GILES,
SAFFOLD,
BURCH,
SMITH, of Talbot,
STRICKLAND,
RUTHERFORD,
MARTIN, of Elbert,

Committee on the Constitution of the State, and Constitution and Laws of the United States:

Messrs. COBB,
CLARKE,
STEPHENS, of Hancock,
RAMSEY, of Muscogee,
CRAWFORD, of Greene,
HILL, of Troup,
GLENN, of Fulton,
REESE,
TRIPPE,
FOUCHE,
KENAN,
RICE,
LAMAR, of Lincoln.

Leave of absence was granted to Mr. Styles, of Ware,

on account of important business, and to Mr. Usry on account of sickness in his family.

On motion of Mr. Chastain the Convention then adjourned till ten o'clock tomorrow morning.

TUESDAY, JANUARY 22, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Adams.

A quorum being present, the Journal of yesterday was read.

Mr. Varnadoe's resolution, relative to officers in the Army and Navy of the United States, (citizens of Georgia who will resign and return to their native State) was taken up and referred to the Committees on Military Affairs.

Mr. Alexander's (of Upson) resolutions relative to a reconstruction of the late "Federal Union" was taken up, and referred to the Committee on Foreign Relations.

The Ordinance laid upon the table on yesterday, introduced by Mr. Fleming, "to prescribe the mode in which the acts, records, and judicial proceedings in each of the States lately composing the Union known as the "United States of America," and for other purposes, was taken up and referred to the Committee on the Constitution of the State, and the Constitution and Laws of the United States.

The resolution of Mr. Shropshire of Floyd to appoint a Committee whose duty it shall be to inquire into the power of this Convention to reduce the number of Senators and Representatives in the General Assembly, and if so, to report an ordinance thereon, was taken up.

On motion, the blank in the resolution was filled with the word "*sixteen*."

The resolution was then adopted.

The second of the series of resolutions introduced by Mr. Cobb on yesterday, requesting the Committee on Foreign Relations, to consider and report upon the propriety of requesting those slave-holding States which shall not have seceded by the 4th day of February next, to appoint Commissioners to represent said States at the Congress of the seceding States to be held at Montgomery on that day, was taken up and referred to that Committee.

Mr. Varnadoe's resolution relative to the employment of small armed steamers to ply along the sea-coast, to prevent depredations of piratical or marauding parties, was taken up and referred to the Committee on Military Affairs.

Mr. Chastain's resolution relative to the assumption of debts to become due to the carriers of mails from and after the passage of the Ordinance of secession, was taken up and referred to the Committee on Commercial and Postal Arrangements.

Mr. Simmons, of Gwinnett, laid on the table the following *quasi* protest, which was taken up, read, and ordered to be spread upon the journal:

“We, the undersigned delegates to the Convention of the State of Georgia, now in session, while we most solemnly protest against the action of the majority in adopting the Ordinance for the immediate and separate secession of this State, and would have preferred the policy of co-operation with our Southern sister States, yet as good citizens, we yield to the will of a majority of her people as expressed by their representatives and we hereby pledge “our lives, our fortunes, and our sacred honor,” to the defense of Georgia, if necessary, against hostile invasions from any source whatever.

Milledgeville, Ga., January 22d, 1861.

JAMES P. SIMMONS, of Gwinnett,
THOMAS M. McRAE, of Montgomery,
F. H. LATIMER, of Montgomery,
DAVIS WHELCHER, of Hall,
P. M. BYRD, of Hall,
JAMES SIMMONS, of Pickens.”

Mr. Garvin offered the following ordinance, which was taken up, read, and referred to the Committee on the Constitution of the State, and the Constitution and Laws of the United States, to-wit:

AN ORDINANCE:

“The people of Georgia in Convention assembled, do hereby ordain that all white persons residing within the limits of this State at the date of the Ordinance of seces-

sion, are hereby constituted citizens of the State without regard to place of birth or length of residence.”

Mr. Bartow laid upon the table a communication from the Post Master at Savannah, which on his motion, was taken up, read, and on motion of Mr. Chastain, was referred to the Committee on Commercial and Postal Arrangements.

Mr. Styles, of Ware, offered the following resolution, which on his motion, was referred to the Committee on the Constitution of the State, and the Constitution and Laws of the United States:

Resolved, That it be referred to the Committee on the Constitution to enquire and report on the expediency of appointing forthwith a council to consist of citizens of this State to act with the Governor of the State as his counsellors and advisers, and to be called “a Council of Safety.”

Mr. Cobb from the Committee on the Constitution of the State, and the Constitution and Laws of the United States reported the following ordinance:

AN ORDINANCE

To provide for the execution of sentences passed by the Courts of the United States within the limits of the State of Georgia; and for the execution of process issued by the same Courts, and to preserve indictments:

The people of Georgia through their Delegates in Convention assembled do hereby declare and ordain, that all persons now confined in the Penitentiary of this State,

under sentence upon conviction for crime, by any Court of the late United States, for the Districts of Georgia, shall continue in such imprisonment until the full execution of such sentences shall have been accomplished in the same manner as if the Ordinance of Secession had not been passed.

And it is further declared and ordained by the authority aforesaid, That all persons now arrested or confined in the jails of this State, under process from the said Courts of the late United States shall not be released or discharged by reason of the said Ordinance, but shall continue under the said arrest or imprisonment until discharged by due process of law. And all persons who shall have heretofore given bail to answer any warrant or other process from said Courts, shall not be released from the obligation of such bonds, but shall be (with their sureties) bound to appear and answer to such Courts of this State, as may be directed by this Convention.

And be it further ordained and declared, That all indictments heretofore found true in the said Courts, and not hitherto disposed of, shall continue in full force and virtue until heard and determined by the Courts to which jurisdiction thereof may be transferred. And all process or warrant, or other criminal proceeding issuing out of or returnable to the said Courts, shall lose no virtue by reason of the act of secession, but shall be returnable to, and executed in the name of the Court to which jurisdiction may be given by this Convention.

The report was taken up, and the Ordinance read twice and passed.

From the same Committee, Mr. Cobb also reported the following Ordinance, which was taken up and read:

AN ORDINANCE

To declare and continue in force in this State, sundry laws of the late United States of America, in reference to the African slave trade.

The people of Georgia, in Convention assembled, do hereby declare and ordain, That all the laws passed by the Congress of the late United States of America, and in force in this State prior to the 19th day of January, 1861, except the fifth section of the act of 10th of May, 1800, be, and the same is hereby declared to be in full force in this State; *provided,* the same shall not be construed to extend to the importation of negro slaves from any one of the slave-holding States of the late United States of America or from either of the Independent Republics of South Carolina, Alabama, Florida, or Mississippi.

Be it further ordained and declared, That the Governor of Georgia shall discharge all the duties required by said laws of the President of the United States and the Attorney or Solicitor-General of the Judicial District where the case arises, shall discharge all the duties required of the District Attorney, and the Sheriff of the county all the duties required of the Marshal.

Be it further ordained, That the State of Georgia shall be substituted for the United States, in every portion of said laws where the substitution is required by the present independent condition of the State.

On motion of Mr. Hansell, the ordinance was made the special order of the day tomorrow, and 500 copies of the same were ordered to be printed.

Mr. Toombs from the Committee on Foreign Relations made the following report:

“That the Committee, in accordance with the resolution adopted on yesterday, have nominated W. J. Vason, Esq., of Richmond county, as the Commissioner from Georgia to the State of Louisiana, and General J. W. A. Sanford, of Baldwin county, as the Commissioner from Georgia to the State of Texas.”

The report was taken up and the nominations ratified.

Whereupon the President was requested to issue commissions to said Commissioners.

Mr. Carswell offered the following resolution, which was taken up and adopted:

Resolved, That a Committee of five on Printing, be appointed by the President; also, a Committee of five on Enrolling, and a Committee of five on Accounts.

Whereupon the President announced as the Committee on Printing:

MESSRS. MUNNERLYN,
HAMMOND,
HARRIS, of Hancock,
PRICE,
PORTER,

Committee on Enrollment:

MESSRS. FORT, of Wayne,
BRISCOE,
MOOR, of Spalding,
FURLOW,
JOHNSON, of Hall.

Committee on Accounts:

MESSRS. CARSWELL,
ADAMS, of Putnam,
McDONALD,
GRESHAM,
McCONNELL, of Catoosa.

On motion of Mr. Anderson the Convention then adjourned till ten o'clock tomorrow morning.

WEDNESDAY, JANUARY 23, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

A quorum being present, the journal of yesterday was read.

The President then announced the following as the Committee of sixteen, under the Resolution adopted on yesterday to inquire into the power of this Convention to reduce the number of Senators and Representatives

in the General Assembly of Georgia, and if so, to report an ordinance for the same, to-wit:

Messrs. SHROPSHIRE, of Floyd,
DABNEY,
VARNADOE,
SPENCER,
RAMSEY, of Muscogee,
MALLARY,
BAILEY,
PHINIZY, of Monroe,
BEALL, of Troup,
SMITH, of DeKalb,
KNOX,
SIMMONS, of Gwinnett,
REYNOLDS,
TURNER, of Hancock,
GARVIN,
GRESHAM.

Mr. Toombs, from the Committee on Foreign Relations reported the said Committee have had under consideration the subject of a Congress of the States, which have withdrawn from the government the United States of America, proposed to be held at Montgomery, in the State of Alabama, on the 4th day of February next, and recommend the adoption of the following Resolutions, which were taken up and read:

Resolved, That this Convention will tomorrow at 12 o'clock elect ten delegates, to represent the State of Georgia in said Congress, with such powers as the Convention may hereafter confer upon them, and that a majority of all the votes cast shall be necessary to a choice; *Provided*,

That two Delegates shall be chosen from the State at large, and one from each Congressional District in this State:

Resolved, 2d. That the Committee on Foreign Relations do prepare instructions for said Representatives to be submitted to this Convention.

The first Resolution was then put upon its passage, when Mr. Stephens, of Hancock, moved to strike out the word "tomorrow," and insert "today." The motion was lost and the Resolution was then adopted.

On motion of Mr. Toombs, the second Resolution was then adopted.

Mr. Toombs, from the same Committee, also reported the following Resolutions, which were taken up, read and adopted:

Resolved, 1st. That the Convention cordially unite in the invitation extended by the Convention of the Republic of Alabama, to those of the slave holding States which may not have withdrawn from the government of the United States of America by that time, to send Commissioners to represent them at a Congress of the States which have withdrawn, to be held at Montgomery, Alabama, on the 4th day of February next.

2d. *Be it further resolved*, That the President of this Convention do send a certified copy of this Resolution to the Governors of the States of Delaware, Maryland, Virginia, North Carolina, Kentucky, Tennessee, Missouri, Arkansas, Louisiana and Texas, with the request that

they lay them before the Legislatures or Conventions of their respective States.

Mr. Warner laid upon the table the following Ordinance, which was taken up, read, and referred to the Committee on the Constitution of the State, and the Constitution and Laws of the United States.

Be it ordained, by the people of Georgia, in Convention assembled, That the following words shall be added to the 5th Section of the 4th Article of the Constitution of the State of Georgia, to-wit: "And that no Law or Ordinance, shall be passed, impairing the obligation of contracts, nor shall private property be taken for public use without just compensation."

Be it further Ordained, by the authority aforesaid, That the following sections shall be added to the Constitution of the State of Georgia and become part thereof, to-wit: "Full faith and credit shall be given in this State to the public acts, records, and judicial proceedings of any other State, heretofore known and recognized as the United States of America, and shall be received in evidence in the Courts in this State, under the same rules and regulations as prescribed by the Acts of Congress of the late United States, passed the 26th day of May, 1790, and the 27th of March, 1804."

Be it further Ordained, by the authority aforesaid, That all the judgments, sentences, and decrees, heretofore made and rendered by the Federal Courts within the State of Georgia, shall remain operative, and in full force, as well as all laws heretofore enacted by the said Federal Congress which may be beneficial and applicable

to the wants, interests, and present condition, of the people of Georgia, until otherwise altered or repealed by the General Assembly of this State.

Mr. Hill, of Troup, laid upon the table the following Ordinance, which was taken up, read, and on his motion referred to the Committee having matter germane to the subjects before them:

AN ORDINANCE

To continue in force the Laws and to preserve the order, peace, and conveniences of the people of Georgia, until otherwise provided:

Whereas, The State of Georgia has seceded from the Federal Union; and *whereas*, we deem the right, and therefore desire the act of secession, to be peaceable, and said act shall be peaceable unless otherwise ordered by the Federal Government:

Therefore, be it ordained, by the people of Georgia, in Convention assembled, and it is hereby ordained by the authority of the same:

SECTION 1. That until otherwise provided, all laws and regulations of the Government of the United States, not inconsistent with the Ordinance of secession, and which are applicable to the condition and wants of the people of this State, and necessary to preserve undisturbed rights of non-residents acquired and vested prior to the Ordinance of secession be, and the same are, hereby continued in full force, and of binding obligation, upon the authorities and the people of the State of Georgia.

SEC. 2. *Be it further Ordained, by the authority aforesaid,* That collectors of customs, and all other officers connected with the revenue service, and all other officers connected with the Post Office Department in this State, and all mail carriers, mail contractors, and mail agents, be, and they are hereby allowed to continue to perform their functions of office in this State under the laws, and accountable to the government of the United States, as heretofore.

SEC. 3. *Be it further Ordained,* That the Courts and officers thereof of the United States, if in the State of Georgia, be, and they are hereby authorized to continue in the discharge of their respective duties until otherwise provided by this Convention, or the Convention of the seceding States.

SEC. 4. *Be it further Ordained, by the authority aforesaid,* that until otherwise ordered, the State of Georgia will, in good faith, observe and keep all treaties and contract obligations made and entered into by the General Government while Georgia was a member thereof, as far as the same are applicable to or required duties of the State of Georgia.

Mr. Benning, from the Committee on Relations with the slave holding States of North America, made the following

REPORT:

“That they have had under consideration the subject of sending Commissioners to the slave holding States, and have instructed him to report the following resolution, and do recommend its adoption by the Convention:

“*Resolved*, That this Convention appoint a Commissioner from the State of Georgia to each of the States of Delaware, Maryland, Virginia, Tennessee, North Carolina, Kentucky, Missouri and Arkansas, to present to the Legislatures or Conventions, or in the event neither shall be in session, to the Governor of those States, the Ordinance of Secession of Georgia, and to invite the co-operation with her and other seceding States, in the formation of a Southern Confederacy.”

The report was taken up and read.

Mr. Benning from the same Committee, made the following

REPORT:

“That they have had the subject of the inter-State Slave Trade under consideration, and they have instructed him to report the following Ordinance, and recommend its adoption, to-wit:

AN ORDINANCE.

In relation to the the inter-State Slave Trade.

Be it ordained by the People of Georgia in Convention assembled, and it is hereby Ordained by the authority of the same,

That all laws relating to the inter-State Slave Trade, which were in force at the time of the passage of the Ordinance of Secession, shall be deemed and held to be still in force.

The Report and Ordinance were taken up and read.

SPECIAL ORDER.

The special order of the day, which was the Ordinance to declare in force in this State sundry laws of the late United States of America, in reference to the African Slave Trade, was taken up.

Mr. Cobb moved to recommit the same to the Committee on the Constitution of the State and the Constitution and Laws of the United States.

Which motion prevailed.

Mr. Cobb, from said Committee then reported back the Ordinance with the following amendments:

To the first section, by adding to the exception, the following:

“And also so much of the Act of 10th May, 1820, as declares the offenses therein specified to be piracy, and in lieu of the penalty of death therein specified, there shall be substituted imprisonment in the penitentiary for a term of years not less than five, nor exceeding twenty, in the discretion of the Court.”

And also by adding to the first Section the following words:

“*Provided, further,* the slave so introduced from the slave holding States of North America shall not have been imported from beyond the sea into such States since the 20th day of December, 1860.”

The amendments were received, and the Ordinance as amended, having been twice read, was unanimously adopted.

Mr. Cobb, from the Committee on the Constitution of the State and the Constitution and Laws of the United States, reported the following Ordinance, which was read, and 500 copies of the same ordered to be printed:

AN ORDINANCE

To resume jurisdiction over those places within the limits of Georgia, over which jurisdiction has been heretofore ceded to the late United States of America—and to provide for compensation to the said United States for the improvements erected thereon.

The people of Georgia, in Convention assembled do hereby declare and Ordain, That the cessions heretofore made by the General Assembly of this State, granting jurisdiction to the late United States of America over specified portions of the territory within the present limits of the State of Georgia be, and the same are hereby revoked and hereby withdrawn, and that full jurisdiction and sovereignty over the same are hereby resumed by the said State.

Be it further Ordained, That the buildings, machinery, fortifications or other improvements erected on the land so heretofore ceded to the said United States, or other property found therein, shall be held by this State, subject to be accounted for in any future adjustment of the claims between this State and the said United States.

Mr. Johnson, of Clayton, offered the following resolution, which was read:

“*Resolved*, That twenty-five thousand copies of the ordinance of secession be printed for the use of the Convention, together with the delegates names and county which they represent, in their order as appears on the parchment; also, the names of those delegates and the counties they represent who refused to sign the ordinance.”

Mr. Johnson, of Clayton, moved to take up the resolution, which motion did not prevail.

Leave of absence was granted to Mr. Burnett of Clay, on account of sickness.

Mr. Styles offered the following resolution, which was read, taken up and adopted:

“*Resolved*, That the State Treasurer be instructed to make advances of *mileage* and *per diem* pay to delegates, of the amount due.”

On motion of Mr. Hill, of Harris, the Convention then adjourned till ten o'clock tomorrow morning.

THURSDAY, JANUARY 24, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

A quorum being present, the journal was read.

On motion of Mr. Cochran of Wilkinson, his preamble and resolutions, relative to the payment of Georgia's *pro rata* part of the public debt of the United States, and to

demand her proportionate part of the public property, was taken up, read, and referred to the "Committee on Foreign Relations."

Mr. Hill, of Troup, moved to add Mr. Cochran to the "Committee on Foreign Relations."

Which motion prevailed.

On motion of Mr. Cannon, of Wayne, leave of absence was granted to Mr. Bozeman, of Pulaski, on account of indisposition; and on motion of Mr. Cobb, leave of absence was granted to Mr. Winn, of Gwinnett, on account of sickness in his family.

Mr. Anderson, from the "Committee on Commercial and Postal Arrangements," reported the following ordinance, which was read, and on motion of Mr. Shropshire, of Floyd, 300 copies were ordered to be printed.

AN ORDINANCE.

To make Provisional Postal Arrangements in Georgia.

Whereas, it is desirable that there should be no disturbance in the present postal arrangements in this and other States.

Therefore, be it ordained, and it is hereby ordained and declared by the people of Georgia, in Convention assembled,

That the existing postal contracts and arrangements shall be continued, and the persons, charged with the duties thereof, shall continue to discharge said duties

until a postal treaty shall be concluded, or until otherwise directed.

Be it further ordained by the authority aforesaid, That in case the Government of the United States, or its officers or agents, shall fail or refuse to execute the said contracts, or carry on said arrangements, it shall be the duty of the Governor of this State, to make all contracts and appoint all officers, which may be necessary to keep sufficient mail facilities to meet the wants of the people of Georgia, until otherwise ordered by the proper authorities.

The resolution accompanying the report of Mr. Benning from the Committee on the Relations with the Slaveholding States of North America, relative to the appointment of a Commissioner to each of the States of Delaware, Maryland, Virginia, Tennessee, North Carolina, Kentucky, Missouri and Arkansas, was taken up, read and adopted.

The report of Mr. Benning, from the same Committee, being an ordinance in relation to the inter-State slave trade, was taken up and read; and having been twice read was adopted.

Mr. Alexander, of Upson, offered the following resolution, which was taken up, read, and agreed to:

Resolved, That a committee of five be appointed by the President of this Convention, to examine the Great Seal of the State of Georgia, and report whether any, and what, changes in the same have been rendered necessary by the withdrawal of this State from the late Federal Union.

The following is the committee announced by the President, under the foregoing resolution :

MESSRS. ALEXANDER, of Upson.
LOGAN,
GLOVER,
GLENN, of Oglethorpe,
PHINIZY, of Richmond.

On motion of Mr. Burch, leave of absence was granted to Mr. Phinizy, of Richmond, from Friday till Monday next.

On motion of Mr. Bartow, the door of the gallery was closed, and the Convention went into secret session.

After which the door was opened, and in accordance with the resolution of Mr. Toombs, adopted on yesterday, the hour of 12 M. having arrived, the Convention proceeded to elect ten delegates to represent the State of Georgia in the proposed Congress to be held at Montgomery, in the State of Alabama, on the 4th of February, next, towit: two from the State at large, and one from each Congressional District in the State.

The result of which was that ROBERT TOOMBS, of the county of Wilkes, and HOWELL COBB, of the county of Clarke, were duly elected for the State at Large, and the following named persons for the several districts affixed to their names, to-wit:

FRANCIS S. BARTOW, for the 1st Congressional District.

MARTIN J. CRAWFORD, for the 2nd Congressional District.

EUGENIUS A. NISBET, for the 3rd Congressional District.

BENJAMIN H. HILL, for the 4th Congressional District.

AUGUSTUS R. WRIGHT, for the 5th Congressional District.

THOMAS R. R. COBB, for the 6th Congressional District.

AUGUSTUS H. KENAN, for the 7th Congressional District.

ALEXANDER H. STEPHENS, for the 8th Congressional District.

Leave of absence was granted to Mr. Dennis for a few days; also to Messrs. McDonald, of Ware, Gray, Jordan, Briggs, and Mitchell.

Mr. Singleton laid upon the table the following ordinance, which was referred to the Committee on Military Affairs:

AN ORDINANCE

To organize mounted military police in each of the several counties of this State, and for other purposes.

Whereas, war may be one of the consequences of secession, and *whereas*, the recent outrage upon the State of Virginia admonishes us that in the event of such war, attempts will be made to incite our slaves to insurrection, and *whereas* the vicious and unprincipled during the absence of many of the true men from their respective

counties in the defence of the State, may be disposed to seize upon such opportunity, to commit wrongs and outrages upon the then defenceless wives and children of the absent, as well as upon other good people of the State for remedy thereof:

SECTION 1. *Be it ordained by this Convention of the people of the State of Georgia assembled, and it is hereby ordained by the authority of the same,*

That it shall be the duty of his Excellency, the Governor, to accept the services of one Company, consisting of not more than fifty nor less than fifteen mounted men, from each of the several counties of the State, to act as a mounted military police for their several counties, as hereinafter declared.

SEC. 2. *And be it further ordained,* That each of the said companies shall be like officered as other Cavalry companies, and commissions shall be issued to their officers by the Governor, commissioning them as officers of the Mounted Military Police, of their respective counties.

SEC. 3. *And be it further ordained,* That said mounted military police, shall constitute a distinct and independent arm of the military of the State, not subject to the orders of any officer of any army having authority in this State, nor of any officer of militia thereof.

SEC. 4. *And be it further ordained,* That his Excellency the Governor, shall furnish to this mounted military police from time to time, such arms as he may deem appropriate to their peculiar service, and as can be spared for that purpose.

SEC. 5. *And be it further ordained*, That the headquarters of each of said companies, shall be at the county sites of their respective counties whenever they shall be regularly mustered into service.

SEC. 6. *And be it further ordained*, That a majority of the Justices of the Inferior Court of each county, shall have power to call into actual service, the said police of their respective counties, and to discharge them whenever the said Justices may deem proper, subject, however, to be again called into service by said Justices, and said Justices are hereby further empowered to pass orders from time to time requiring the commanding officer of their said company, to either increase or diminish the rank and file of his company to any number within the limits heretofore prescribed.

SEC. 7. *And be it further ordained*, That when any company of mounted military police, shall be mustered into service, it shall be the duty of the officer in command of the same, to at all times retain at least one-fourth of his command at his headquarters, unless for good and sufficient reasons, to be judged of by him, he shall order them temporarily to occupy some other position, or to the performance of some other duty. He shall also cause the entire county to be patrolled by detachments of his command, under charge of proper officers.

SEC. 8. That the pay, rations and allowances of the mounted military police while on active duty shall be the same as the Cavalry of the army. But, be it remembered always, that each officer and private of said companies, shall furnish their own horse and be allowed the rate of ——— dollars per month, for the hire of the same.

SEC. 9. *And be it further ordained*, That all persons enlisted as privates in any of the said companies, be bound to serve for one year from the time of enlistment, unless sooner discharged by the officer in command, and be bound by all the rules of war, unless herein otherwise provided, while in actual service; and at all times during their enlistment exempt from all road and jury duty.

The Convention then adjourned till eleven o'clock to-morrow morning.

FRIDAY, JANUARY 25, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Adams.

A quorum being present, the journal of yesterday was read.

Whereupon the President laid upon the table a communication from the State of Mississippi, with the accompanying documents, accrediting the Hon. T. W. White, of that State, as a Commissioner to Georgia, for purposes therein specified—

Which was taken up and read.

On motion of Mr. Stephens, of Taliaferro, the following resolution was adopted:

Resolved, That all the papers accompanying the commissioner from the State of Mississippi, as well as those with the commissioners from the States of South Caro-

lina and Alabama, be printed as an appendix to the journal of the proceedings of this Convention.

Mr. Alexander, of Upson, laid upon the table the following resolutions:

Whereas, The Hon. Thomas W. White, the Commissioner of the State of Mississippi, has arrived in this city; be it therefore

1st Resolved, That the Hon. Thomas W. White be, and he is hereby invited to a seat on the floor of this Convention.

2nd Resolved, That a committee of three be appointed to wait on Mr. White and ascertain at what hour and what form it will be agreeable to him to communicate with this Convention.

The resolution was taken up, read and adopted.

Whereupon the President announced the following as the committee under the foregoing resolutions, to-wit:

MESSRS. ALEXANDER, of Upson.
REYNOLDS, and
SIMMONS, of Pickens.

The President laid upon the table a communication from the Legislature of the State of Tennessee, which was read and, on motion of Mr. Glenn, of Fulton, laid on the table for the present.

Mr. Whitehead offered the following resolution, which was read:

“Resolved, That when this Convention adjourns on Tuesday next, the 29th instant, it adjourns to meet in Savannah at the call of the President.”

Mr. Benning, from the Committee on the “Relations of the Slave-holding States of North America,” made the following report:

That he is instructed by that Committee to report the following resolution, and to recommend its adoption by the Convention:

Resolved, That in the opinion of this Convention no State ought to be admitted into the new confederacy to be formed at Montgomery, unless such State shall tolerate the existence of slavery as one of its own domestic institutions, and shall permit an inter-State traffic in slaves with its citizens, and that should any State at any time abolish the institution within its limits, such State shall ipso facto cease to be a member of the said Confederacy.”

The report was taken up and read.

Mr. Anderson, from the committee on “Commercial and Postal Arrangements,” reported the following preamble and resolutions:

Whereas, The policy of direct trade between the States of the South and foreign nations assumes more than ordinary importance in view of the relations which the seceding States must bear to the world,

Therefore be it resolved, That this Convention is forcibly impressed with the necessity of the future wel-

fare and honor of the South, of direct trade with the European nations from some port or ports upon the Atlantic Coast at the South, under the dominion of the Southern Confederacy.

Resolved, That our members to the Southern Congress to be held at Montgomery, are hereby earnestly requested to bring this subject forward at an early day before that assembly, and to urge the adoption of efficient measures to accomplish this great measure of Southern independence.

The resolutions were taken up, read, and 300 copies ordered to be printed.

Mr. Nisbet offered the following resolution, which was taken up and read, to-wit:

“Resolved, That in pursuance of a resolution of this body authorizing the appointment of Commissioners to the slave-holding States, the committee on Foreign Relations be, and they are hereby instructed to nominate to the Convention suitable persons to act as Commissioners aforesaid, at 12 o'clock tomorrow, and that, at that hour, the Convention proceed to elect the same.”

Mr. Hood, of Randolph, offered the following as a substitute for the same:

“Resolved, That the committee on Relations with the Slave-holding States be instructed to suggest to the Convention the names of fit and proper persons to represent the State of Georgia as Commissioners under the resolution heretofore adopted to the States of Delaware,

Maryland, Virginia, North Carolina, Tennessee, Kentucky, Missouri, and Arkansas.”

Mr. Kenan moved to strike out “*Delaware.*”

When, on motion, the resolution and substitute was laid on the table for the present.

Mr. Cobb, from the committee on the Constitution and laws of the State, and the Constitution and Laws of the United States, made the following reports:

First.

AN ORDINANCE

To abolish the Circuit and District Courts of the late United States for the District of Georgia, and to establish other Courts in lieu thereof, and to continue in force certain judgments and executions.

The people of Georgia in Convention assembled hereby declare and ordain,

That the Circuit and District Courts of the late United States for the State of Georgia, be, and the same are hereby abolished as Courts of the said United States. And the same are hereby re-established as Courts of the independent State of Georgia, with the same jurisdiction and powers they had under the laws of the United States, except so far as the same are modified by the ordinances of this Convention.

2. That the commissions of all the judges and officers of said courts are hereby terminated. And the Governor of the State is hereby authorized to appoint and

commission judges and officers of said courts, to hold their commissions until the further action of this Convention.

3. The causes now pending in said courts, civil and criminal, are continued without prejudice in the courts hereby established, and the judgments and decrees heretofore rendered therein, and the executions issued thereon shall lose no right, lien, or validity by the operation of this ordinance, or the ordinance of secession, but shall continue in force as if the said courts remained in existence.

Second.

AN ORDINANCE.

To adopt and continue in force the laws of the late United States, in the State of Georgia, except as therein specified.

The people of Georgia in Convention assembled do declare and ordain as follows:

SECTION 1. That such and so much of the laws of the late United States as are not inconsistent with the ordinance of secession, and the other ordinances of this Convention, and as are applicable and adapted to our present condition and necessities, be and the same are hereby adopted and continued in force in this State, saving and excepting, however, the laws on the subjects following, to-wit: The Army; Bounty Lands; Cadets; Census; Coasting Trade; Treason; Fisheries; Lands; the Navy; Pensions; Printing; Public Money; Timber; Treasury Department; and the War Department.

SEC. 2. That in all cases in which remedies are provided in civil cases, or punishments are prescribed in criminal cases, both by the laws of the said United States and by the existing laws of this State, then and in all such cases the laws of this State shall take precedence to, and be administered before the said laws of the United States.

Third.

AN ORDINANCE

To define and declare what shall be Treason and Misprision of Treason in the State of Georgia and also certain felonies.

The people of Georgia in Convention assembled do hereby declare and ordain,

That if any person or persons owing allegiance to the State of Georgia shall levy war against said State, or shall adhere to her enemies giving them aid and comfort within the said State or elsewhere, or shall in the name of the late United States of America, or any other foreign power, seize or attempt to seize and hold possession against the declared will of said State, of any fort, arsenal, mint or other building within the territorial limits of said State, and shall be thereof convicted on confession in open court, or on the testimony of two witnesses to the same overt act of the treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the State of Georgia, and shall suffer death.

A person having knowledge of the commission of any of the treasonable acts aforesaid, and conceals or

fails to discover the same as may be to the Governor of said State, or some one of the judges thereof, shall be guilty of Misprision of Treason, and on conviction shall be punished by imprisonment and labor in the penitentiary not less than five nor longer than — years.

Any citizen of the State of Georgia, wherever resident, who shall, without the permission of said State, directly or indirectly commence or carry on any verbal or written correspondence or intercourse with any foreign government, or any officer or agent thereof, with an intent to influence the measures or conduct of such government, adversely to the existence or interest of said State in relation to any disputes or controversies with said State, or to defeat the measures of the government of said State; or if any such person not duly authorized shall counsel, advise, aid, or assist in any such correspondence, such citizen of Georgia shall be guilty of a felony, and on conviction shall be punished by imprisonment in the penitentiary not less than one nor more than three years, and by a fine not exceeding five thousand dollars.

Fourth.

AN ORDINANCE

In relation to oaths heretofore required of public officers and Attorneys at Law.

The people of Georgia in Convention assembled declare and Ordain.

That the oath heretofore required to be administered to public officers and Attorneys and Solicitors at Law, to

support the Constitution of the United States shall be hereafter discontinued.

Fifth.

AN ORDINANCE

Concerning Citizenship.

We, the People of the State of Georgia, in Convention assembled, do declare and Ordain, and it is hereby declared and Ordained.

1st. Every person, who at the date of the Ordinance of Secession was residing in this State, and was then by birth, residence or naturalization, a citizen of this State, shall continue a citizen of this State, unless a foreign residence shall be established by such person, with the intention of expatriation.

2d. So also shall continue every free white person, who after the date aforesaid, may be born within the territory of this State, or may be born outside of that territory, of a father who then was a citizen of this State.

3d. So also every person, a citizen of any one of the States now confederate, under the name of the United States of America, who within twelve months after the date of the Ordinance of Secession, shall come to reside in this State, with the intention of remaining, upon such persons taking the oath of allegiance to this State, below provided.

4th. So also every free white person, who shall be engaged in the actual service, military or naval, of the State, and shall take an oath of his intention to continue

in such service for at least three months, unless sooner discharged honorably, and also the oath of allegiance below prescribed. In this case, the oath shall be administered by some commissioned officer of the service in which the applicant for citizenship may be engaged, superior in rank to the applicant, and thereupon certificate of the citizenship of the applicant, shall be signed by the officer and delivered to the applicant.

5th. So also, every person not a citizen of any of the States above mentioned, at the date aforesaid, who may come to reside in this State, with the intention of remaining, and may be naturalized according to the naturalization laws of this State, until they may be altered or repealed, the naturalization laws of the United States accommodated to the special condition of the State, are hereby made the laws of this State, except that instead of the oaths required by those laws in the final act, the oath of allegiance to this State, and of abjuration before provided, shall be taken.

6th. In all cases, the citizenship of a man shall extend to his wife, present or future, whenever she shall have a residence in this State, and shall extend also, to each of his children, that under the age of eighteen years, may have a residence in the State; *provided*, That in no case, shall citizenship extend to any person, who is not a free white person.

7th. That the oath of allegiance to this State, shall be in the words, to-wit:

“I do swear (or affirm) that I will be faithful and true allegiance bear to the State of Georgia, so long as I may continue a citizen thereof.”

8th. The oath of abjuration shall be in the following form, to-wit: "I do swear (or affirm) that I do renounce and forever abjure, all allegiance and fidelity to every prince, potentate, or sovereignty whatever, except the State of Georgia."

On motion of Mr. Cobb, the fourth of the series of the foregoing ordinances was taken up, read twice, and passed, to-wit:

The "Ordinance in relation to oaths heretofore required of public officers and Attorneys at Law."

On motion of Mr. Wofford, 300 copies of the first, second, third, and fifth, of the foregoing ordinances, were ordered to be printed.

Mr. Poe offered the following resolution, which was taken up, read, and agreed to:

"Resolved, That his Excellency, the Governor, be requested to afford such facilities to the Secretary of this Convention, as will enable him to have taken, a photograph of the Ordinance of Secession, *provided* no expense accrue to the State therefor, and *provided, also*, that no risk be incurred, of the loss of, or damage be done to said ordinance, in taking said photograph."

Mr. Hull laid upon the table the following resolution, which was taken up, read, and adopted:

"Resolved, That our late Senators and Representatives in the Congress of the United States, be invited to seats upon the floor of this Convention."

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Mr. Ramsey was excused from serving on the committee to take into consideration, and report upon the expediency of reducing the representation of the General Assembly of Georgia, and Mr. Robinson appointed in his place.

The Convention then went into secret session, and having spent some time therein, the doors were opened, when

Mr. Beall, of Troup, from the Committee on the Ordinance of Secession, offered the following resolution, which was taken up, read, and adopted:

“The committee to whom was entrusted the duty of preparing the parchment, and engrossing the Ordinance of Secession, for the signatures of the members of the Convention, called to their aid the services of Maj. H. J. G. Williams, who cheerfully and with some labor, engrossed the same to the full satisfaction of the committee, and refused all pecuniary compensation.

“*Be it therefore resolved*, That Maj. H. J. G. Williams be allowed to sign his name under the attestation of the Clerk, in the manner following, namely:

“Engrossed by H. J. G. WILLIAMS.”

Mr. Johnson, of Clayton, offered the following resolution, which was taken up, read, and adopted:

“*Resolved*, That the treasurer be authorized to pay the members of the Convention their mileage, and *per diem* pay upon their accounts being approved and signed by one of the auditing committee.

“And be it further resolved, That the President of the Convention, when it adjourns, be required to draw his warrant upon the Treasurer for the pay of its members and officers, in the same manner as has heretofore been done by the President of the Senate, and Speaker of the House of Representatives, of the Georgia Legislature.”

On motion of Mr. Stephens, of Taliaferro, the following resolution was taken up, read, and adopted:

“Resolved, That the Governor be requested to have published in such newspapers as he may think proper, all the ordinances of this Convention as they pass, that immediate and general notice may be given the same, unless otherwise directed by this Convention.”

The President laid on the table a communication from T. S. Hopkins, M. D., of Wayne County, with the accompanying papers contesting the seat of Mr. Cannon, of that county, in the Convention.

On motion of Mr. Fort, a committee on elections was announced by the Chair, and the communication with the accompanying papers were referred to the same.

The following is the Committee on Elections:

MESSRS. STYLES,
RODDEY,
BUTTS,
BROWN, of Houston, and
GAULDEN.

Mr. Alexander, of Upson, from the committee appointed to wait upon the Hon. Thomas. W. White, the

Commissioner from the State of Mississippi, made the following report, to-wit:

“That the committee have waited upon Mr. White, and informed him of the action of this Convention, inviting him to a seat upon the floor of the Convention, and expressing the readiness and desire of the Convention to receive him at such time as will be most agreeable to himself; and that he informed the committee that it would be agreeable to him to appear before and address the Convention at noon on Monday next.”

Mr. Williamson offered the following resolution, which was read and referred to the Committee on Foreign Relations.

“*Resolved*, That the Committee on Foreign Relations be requested to report an ordinance, if in their judgment it be necessary, to secure to citizens of Georgia, who have obtained from the United States of America, a patent right for inventions, and citizens of Georgia, who have made application and placed in the office a model for a patent their rights in the same.”

Mr. Cobb moved to take up the ordinance in reference to land heretofore ceded to the late United States of America.

The motion was agreed to, and the ordinance was taken up, read twice, and passed.

The report of Mr. Anderson, from the Committee on Commercial and Postal Arrangements, being an ordinance to make provisional Postal Arrangements in Georgia, was then taken up.

On motion, the same was recommitted, and reported back with the following amendments, to-wit: by striking out in the first section, the word "*continued*" and inserting the words "*allowed to continue*;" and by inserting in the second section, "*and do all other things*," after the word "*officers*."

The ordinance as amended, was read twice and passed.

Mr. Fort, from the Committee on Enrollment, made the following report:

"That they have enrolled and it is now ready for the signature of the President:

"An Ordonance to provide for the execution of criminal process issuing from the Courts of the late United States of America."

Leave of absence was then granted to Messrs. Stephens of Monroe, Roddey, Logue, Davis of Putnam, Hansell, Humphries, Bryan, Cleveland, Furlow, Robertson, Perkins, Ponder, and Banks of Stewart.

The Convention then adjourned till ten o'clock tomorrow morning.

SATURDAY, JANUARY 26, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Means.

A quorum being present the journal was read.

On motion of Mr. Bartow, the doors were closed, and the journal of yesterday, when in secret session, was read.

After which the doors were opened, when

Mr. Nisbet offered the following resolution, his resolution and Mr. Hood's substitute, of yesterday, having been withdrawn:

Resolved, That the Committee on Foreign Relations be, and they are hereby instructed to nominate Commissioners to certain slaveholding States of the late American Union, in accordance with an ordinance of this Convention, authorizing the appointment of such Commissioners; and that the Convention will, on Monday next, at eleven o'clock, proceed to the election of the same.

The resolution was taken up, read and adopted.

Mr. Cobb, from the Committee on the Constitution of the State, and the Constitution and Laws of the United States, to whom was referred a resolution inquiring into the propriety of appointing a Council of Safety to advise with, and assist the Governor of this State in the discharge of his Executive duties, made the following

REPORT:

“That they have had the subject under consideration, and are satisfied that for the present, at least, such a Council is unnecessary and impolitic.”

The Report was received and adopted.

Mr. Styles, from the Committee on Elections, made the following

REPORT:

“The Committee on Elections have had under consideration the subject of the protest from Wayne county, in relation to the seat now filled by the Hon. H. A. Cannon, and have instructed their Chairman to report that they find the election returns from Wayne county, in proper form, and duly certified by the superintendents of the election, and that the returns show that the Hon. Henry R. Fort, and the Hon. Henry A. Cannon, received a majority of the votes admitted in the general count, and were duly elected by the Superintendents to seats in the Convention. They further find, however, that the ballots from one of the precincts were rejected by the Superintendents in the general count because of there being no oath or affidavit attached to, and returned with the polls by the managers at that precinct, and though it is represented by *ex parte* certificates that the polls of this rejected precinct would, if they had been counted, have shown a tie between the sitting delegates and Dr. F. S. Hopkins, the contestant, the evidence produced before the Committee fails to rebut the presumption that the Superintendents acted in strict accordance with the law governing elections in rejecting the returns from the disputed precinct. But whether the Committee be correct or not in this conclusion, the contestant has failed to pursue the prescribed rule laid down by the Act of 1831, regulating the manner for contesting elections, and has therefore failed to bring his case before the Committee in such a manner as to justify them in considering the testimony adduced. In justice to the sitting member,

your Committee have thought proper to state these facts, and to state further, that upon investigation they ascertain the fact that he declined to serve the county under the circumstances, and only consented to claim his seat after being earnestly requested by a large majority of all those who voted on the day of election.

“Your Committee therefore recommend that the protest be laid upon the table, and that the Hon. Henry A. Cannon do retain his seat.”

The report was taken up, read and unanimously agreed to.

Mr. Shropshire of Floyd, from the Committee to inquire into the power of this Convention to reduce the number of Senators and Representatives in the General Assembly of Georgia, and if, in the judgment of said Committee the power exists to report an Ordinance for that purpose, made the following

REPORT:

“Your Committee have had the subject under consideration, and while they do not doubt the power of this Convention to make such reduction, yet there is great diversity of opinion as to the propriety of doing so, without submitting the action of the Convention to the people for ratification or rejection. They have, however, agreed upon an Ordinance which they have instructed me to submit to this Convention, and recommend its adoption; each individual member of the Committee reserving to himself the privilege of voting for, or against, any proposition which may be made, with a view to obtaining the popular will on this subject.”

The report was taken up, and the Ordinance read, to-wit:

AN ORDINANCE

To alter and amend the 3d, 4th, 7th and 8th Sections of the 1st Article of the Constitution of the State of Georgia, and for other purposes.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained and declared by authority of the same,

1. That from and after the adoption of this Ordinance, the third section of the first Article of the Constitution of this State shall be so altered and amended as to read as follows, to-wit:

Each Congressional District in this State shall be known as a Senatorial District, by the same number which designates it as a Congressional District. The Senate of Georgia shall be composed of forty Senators and no more, five to be chosen from each District as they now or may hereafter be organized, by the legally qualified voters thereof, on the first Wednesday in October, until the day of election is altered by law.

2. *Be it further ordained by the authority aforesaid,* That the fourth Section of the first Article of the Constitution of Georgia shall be so altered and amended as to read as follows, to-wit:

No person shall be a Senator who shall have not attained the age of twenty-five years, and been five years a citizen of this State, and shall have usually resided within the District from which he shall be returned at

least one year immediately preceding his election, except persons who may have been absent on lawful business of this State, or of any Government of which Georgia may hereafter become a part.

3. *Be it further ordained*, That the seventh section of the first Article of the Constitution of this State, shall be so altered and amended as to read as follows, to-wit:

The House of Representatives shall be composed of one hundred and thirty-three members, and no more, one to be chosen bienially from each of the counties as now organized by the legally qualified voters thereof, on the first Wednesday in October, until the day of election is altered by law.

4. *Be it further ordained*, That the eighth section of the first Article of the Constitution of this State, be so altered and amended to read as follows, to-wit:

No person shall be a Representative who shall not have attained the age of twenty-one years, and have been a citizen of the State of Georgia five years, and have actually resided in the county in which he shall be chosen one year immediately preceding his election, unless he shall have been absent on the public business of this State, or of any government of which Georgia may hereafter become a part.

5. *Be it further ordained*, That the foregoing alterations and amendments shall not be so construed as to vacate the commission of any member of the present General Assembly of Georgia."

Mr. Mallary, from the same Committee, offered the

following minority report, and moved its adoption by the Convention:

“The undersigned, from the Committee to reduce the number of members of the General Assembly, beg leave to dissent from the report of the majority of the Committee, to present our reasons therefor, and to present our plan for said reduction in lieu thereof.

“In the first place, we do not believe this Convention is clothed with the power to make said reduction; we think that if the plan adopted by this Convention is submitted to the people, and by them ratified, it will cure any want of power. In the second place, no plan should be adopted by this Convention which will not likely meet the approbation of the people, and we do not believe the people of this State would be content with any plan which did not secure to each county at least one representative, and a representation in the Senate, exceeding in number that of a mere *executive* or *municipal* council.

“Therefore, we recommend, instead of the ordinance reported by the majority, that this Convention instruct the Committee to prepare and report an amendment to the Constitution, to the effect that the first twenty counties having the highest representative population, according to the Federal basis, be entitled to *two* representatives, and all the counties to *one* each; and that the Senate consist of *eight* members from each Congressional District, as now, or hereafter to be organized, the qualifications of Senators and Representatives to be the same as the Constitution now provides, except that the Senator shall reside *one* year, in some *one* county of the District from which he is elected—the whole not to take effect until

ratified by the people. And we would also suggest that as the Congress to assemble at Montgomery may have the power to abolish the district system, or to change the apportionment, this whole subject had better be postponed until the re-assembling of this Convention.

(Signed) CHARLES E. MALLARY."

Mr. Beall of Troup, offered the following as an amendment to the third section of the Ordinance reported by the majority, which was taken up and read:

"The House of Representatives shall consist of eighty-seven members, and no more, to be chosen biennially on the first Monday in October, next, from the Congressional Districts as now organized by the State, by the legally qualified voters of said several Districts, namely, from the first Congressional District, fifteen members; from the second, fourteen members; from the third, eight members; from the fourth, eleven members; from the fifth, twelve members; from the sixth, eleven members; from the seventh, eight members; and from the eighth, eight members."

On motion of Mr. Cobb, the foregoing reports and amendment were laid on the table until after the proposed recess of this Convention, and, on motion of Mr. Johnson, of Clayton, 500 copies of the same were ordered to be printed.

Mr. Hamilton laid on the table the following resolution, which was taken up, read, and agreed to:

Resolved, That the Committee on Foreign Relations be instructed to inquire and report whether any change

should be made in the device on the coins hereafter to be made at the mint at Dahlonega, in the county of Lumpkin. Also, whether any change should be made in the management of said mint; and in the event they should be of opinion any change should be made, that they report to this Convention such changes as they may deem necessary.”

Mr. Johnson’s (of Clayton) resolution directing that 25,000 copies of the Ordinance of Secession be printed, was then taken up, when he offered the following as a substitute therefor:

Resolved, That twenty-five thousand copies be printed for the use of the Convention, of the resolutions offered by the Hon. E. A. Nisbet, delegate from the county of Bibb, declaring it to be the right and duty of Georgia to secede from the Union, and appointing a committee of seventeen to draw up the Ordinance for secession, etc., and the vote that was taken on said resolution by yeas and nays. Also, the report of the Committee of seventeen, which reported the Ordinance for secession with the vote that was taken on the Ordinance, by the yeas and nays. Also. the names of each delegate and the county they represented, who signed said Ordinance in the order in which they stand, on parchment, and the names of each delegate and the county they represented, who refused to sign the same.

On motion of Mr. Strickland, the substitute and original resolution was laid on the table for the balance of the session.

Mr. Anderson, from the Committee on Commercial and Postal Arrangements, reported the following ordi-

nance, which was taken up, read, and made the special order of the day for Monday next; 300 copies of the same were ordered printed:

AN ORDINANCE

To make provisional arrangements for the continuance of commercial facilities in Georgia.

Whereas, It is due to the citizens of Georgia engaged in commerce and agriculture, and the citizens of foreign States engaged in lawful commerce with this State, that no sudden or abrupt change should be made.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same,

That the collectors of customs and other officers connected with the same in the various ports of this State, be allowed to continue to perform their functions under existing laws, until otherwise ordered, or until the Congress about to assemble at Montgomery shall legislate on the same.

Be it further ordained by the power aforesaid, That should circumstances arise during the recess of this Convention to make it necessary in the opinion of the Governor to place the custom house under the control of the Government of this State, then the Governor shall be empowered to take possession of the same, appoint all officers and establish the revenue, collection and navigation laws of the United States, so far as they may be applicable, until otherwise provided for.

The *first* ordinance reported on yesterday by Mr. Cobb, from the "Committee on the Constitution of the State and the Constitution and Laws of the United States," to-wit:

"An ordinance to abolish the Circuit and District Courts of the United States for the District of Georgia, and to establish other courts in lieu thereof, and to continue in force certain judgments and executions"—was taken up and read.

On motion of Mr. Clarke, the same was recommitted for amendment.

Mr. Clarke then moved to amend the third section of the ordinance, by adding thereto the following words: "*But the stay law of the General Assembly of 1860 shall apply to the judgments and proceedings of said Court.*"

The amendment was received.

Mr. Clarke also offered the following as an amendment to the first section—to add the words:

But in case any coercive measures are adopted by the present Federal Government, said Court, and all other Courts shall lose the jurisdiction of a cause in behalf of any citizen of any non-seceding State, to take effect by order of the Governor, and to continue until the action of the General Assembly."

The amendment was lost.

Mr. Hood offered the following amendment:

To strike out in the first section all after the words "*United States*," where they occur the second time; to

strike out the second section, and to strike out the following words in the third section, to-wit: after the word "*criminal*" the words "*are continued without prejudice in the Courts hereby established.*"

Mr. Hill, of Troup, called for the "previous question," which being seconded, the ordinance as amended, was put upon its passage, when Mr. Hood demanded that the yeas and nays be recorded.

There were yeas 204; nays 54, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|----------------------|-----------------------|
| Adams of Camden, | Cannon of Rabun, |
| Alexander of Fulton, | Carson, |
| Alexander of Upson, | Carswell, |
| Algood, | Casey, |
| Anderson, | Cheshier, |
| Bartow, | Clark, |
| Beasley, | Cochran of Terrell, |
| Beck, | Cochran of Wilkinson, |
| Beall of Forsyth, | Cobb, |
| Benning, | Cody, |
| Black, | Coleman, |
| Bowen, | Colquitt, |
| Brewton, | Corn, |
| Briscoe, | Crawford of Greene, |
| Brown of Houston, | Crawford of Richmond, |
| Brown of Marion, | Dabney, |
| Brown of Webster, | Daniel, |
| Buchanan, | Davenport of Clay, |
| Bullard, | Davenport of Sumter, |
| Burch, | Day, |
| Bush, | Deupree, |
| Butts, | Dewberry, |
| Byrd, | Dickerson, |
| Calhoun, | Fain, |

| | |
|----------------------|-------------------------|
| Farnsworth, | Jennings, |
| Fleming, | Johnson of Clayton, |
| Flewellen, | Johnson of Hall, |
| Fields, | Johnson of Oglethorpe, |
| Fitzpatrick, | Jones of Burke, |
| Ford, | Jones of Chatham, |
| Fort of Stewart, | Kenan, |
| Freeman, | Ketchum, |
| Frier, | Killgore, |
| Gardner, | Kimsey, |
| Garvin, | Knox, |
| Glenn of Fulton, | Lamar of Lincoln, |
| Glenn of Oglethorpe, | Lamar of Bibb, |
| Glover, | Lattimer of Montgomery, |
| Giles, | Low, |
| Gordon, | Lester, |
| Graham, | Lindley, |
| Gresham, | Long, |
| Gunn, | Lyle, |
| Hale, | Mabry of Heard, |
| Haines, | Mallary, |
| Hamilton, | Manson, |
| Hargroves, | Martin of Elbert, |
| Harville, | Martin of Meriwether, |
| Harris of Glynn, | McConnell of Catoosa, |
| Harris of Hancock, | McConnell of Cherokee, |
| Harvey, | McCulloch, |
| Hendricks, | McDaniel, |
| Hill of Harris, | McDowell, |
| Hill of Hart, | McGriff, |
| Hill of Troup, | McLain, |
| Hilliard, | McRae, |
| Hines, | Means, |
| Hudson of Gwinnett, | Milton, |
| Hudson of Harris, | Moor of Spalding, |
| Huggins, | Montgomery, |
| Hull, | Neal of Talbot, |
| Hust, | Nisbet, |
| Jackson, | Overstreet, |

| | |
|--------------------------|-------------------------|
| Pariss, | Solomons, |
| Patrick, | Spence, |
| Perkins, | Stapleton, |
| Phinzy of Monroe, | Starr, |
| Pickett, | Stephens of Hancock, |
| Pierce, | Stephens of Taliaferro, |
| Pinson, | Street, |
| Pittman, | Strickland of Forsyth, |
| Pitts, | Strickland of Tatnall, |
| Poe, | Taliaferro, |
| Pofford, | Teasley, |
| Porter, | Thomas of Dooly, |
| Poullain, | Thomas of Whitfield, |
| Prescott, | Tomlinson, |
| Price, | Toombs, |
| Ramsey of Muscogee, | Trippe, |
| Reed, | Troup, |
| Reese, | Tucker of Colquitt, |
| Reynolds, | Turner of Hancock, |
| Rice, | Usry, |
| Richardson of Lee, | Varnadoe, |
| Richardson of Twiggs, | Warner, |
| Robinson, | Waterhouse, |
| Rowe, | Webb, |
| Rutherford, | Wellborn, |
| Sharman, | West, |
| Sharpe, | Whelchel, |
| Sheffield of Calhoun, | Wicker, |
| Sheffield of Early, | Willingham, |
| Shell, | Williams of Chattooga, |
| Shropshire of Chattooga, | Williams of Harris, |
| Skelton, | Williamson, |
| Simmons of Gwinnett, | Willis, |
| Simmons of Pickens, | Winn of Cobb, |
| Singleton, | Wofford, |
| Sirmons, | Wood, |
| Sisk, | Word, |
| Smith of Charlton, | Yates, |
| Smith of Johnson, | Yopp. |

Those who voted in the negative were Messrs.:

| | |
|-----------------------|-----------------------|
| Arnold, | Martin of Lumpkin, |
| Bailey, | McLeod, |
| Blalock, | Mershon, |
| Cannon of Wayne, | Moore of Bulloch, |
| Douglass, | Morrow, |
| Dozier, | Mounger, |
| Ellington, | Munnerlyn, |
| Fouche, | Newton, |
| French, | Padget, |
| Gee, | Patterson, |
| Gholston, | Ponder, |
| Hall, | Pruett, |
| Hammond, | Ramsey of Clinch, |
| Hansell, | Shropshire of Floyd, |
| Harris of McIntosh, | Slater, |
| Head, | Simms, |
| Hendry, | Spencer, |
| Herrington, | Stephens of Pierce, |
| Hood, | Styles, |
| Howell, | Tillman, |
| Johnson of Jefferson, | Tucker of Laurens, |
| Kirkland, | Turner of Wilcox, |
| Lamb, | Walton, |
| Langmade, | Whitehead, |
| Lattimer of Appling, | Williams of McIntosh, |
| Logan, | Young of Gordon, |
| Mabry of Berrien, | Young of Irwin. |

So the ordinance, as amended, having been twice read, was adopted.

The *second* ordinance, from the same committee, reported by Mr. Cobb, on yesterday, to-wit:

“An ordinance to adopt the laws of the late United States”—was taken up, read twice, and adopted.

The *third* ordinance from the same committee, reported by Mr. Cobb, on yesterday, to-wit:

“An ordinance to define certain offences against the State of Georgia,”—was taken up and read.

Mr. Simmons, of Gwinnett, moved to recommit the same for amendment, which was agreed to.

Whereupon Mr. Cobb moved to fill the blank in the second clause, after the word “*than*” with the word “*ten*.”

The amendment was received.

Mr. Simmons, (of Gwinnett) then moved to strike out the second clause, which was lost.

Mr. Wofford moved to strike out the third clause, which was lost.

Mr. Simmons, (of Gwinnett) moved to strike out the words “or interests” in the third clause, which motion was lost.

The ordinance was then read twice, and passed.

The *fifth* ordinance reported on yesterday by Mr. Cobb, from the same committee, to-wit:

“An ordinance concerning citizenship”—was taken up.

On motion, it was recommitted, and amended by striking out the word “*now*” in the third section and inserting in lieu thereof the word “*lately*.”

The ordinance was then twice read and passed.

The report from Mr. Benning, chairman of the "Committee on the Relations with the Slave-holding States of North America," relative to the admission of States into the Southern Confederacy to be formed at Montgomery, was taken up, read, and recommitted to the same committee.

Mr. Whitehead's resolution relative to the adjournment and reassembling of this Convention at Savannah, was taken up, when amendments from Messrs. Corn, Cannon of Rabun, and Starr, and a substitute from himself, were presented—all of which were laid on the table for the present.

Mr. Briscoe, from the Committee on Enrollment, reported as duly enrolled and ready for the signature of the President of the Convention—

An ordinance to continue in force the laws against the African slave trade. Also,

An ordinance in relation to the inter-State slave trade—which, being signed by the President, was deposited in the office of the Secretary of State.

Mr. Nisbet offered the following resolution, which was taken up, read, and agreed to.

Resolved, That the Committee on Military Affairs be, and they are hereby requested to inquire into the expediency and practicability of establishing an Armory for the use of the State within the limits of this State, and report to the Convention.

Leave of absence was granted to Messrs. Garvin,

Allen, Douglass, Anderson, Harris of Meriwether, Bell of Banks, Styles of Ware, Cochran of Wilkinson, and Richardson of Lee.

On motion of Mr. Hill, of Troup, the Convention then adjourned till eleven o'clock, Monday morning.

MONDAY, JANUARY 28, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Flinn.

A quorum being present, the Journal was read.

Mr. Ramsey moved to reconsider so much of the journal of Saturday as relates to the passage of the Ordinance, reported by Mr. Cobb, from the Committee on the Constitution of the State, and the Constitution and Laws of the United States, to-wit:

“An Ordinance, in relation to the Circuit and District Courts of the United States.”

The motion to reconsider prevailed, and the Ordinance was referred back to the same Committee.

The hour of 12 having arrived, the order of the day, to-wit: the reception of the Hon. Thos. W. White, Commissioner from the State of Mississippi, to Georgia, took place.

Mr. Alexander, of Upson, Chairman of the Committee for that purpose, introduced that gentleman to the President of the Convention, who, having extended a cordial

welcome to him in its behalf, stated that it was then ready to receive, or hear, any communication he, as a Commissioner from Mississippi, was prepared to deliver or communicate.

Whereupon the Commissioner aforesaid addressed the Convention.

Mr. Colquitt, (in the absence of Mr. Toombs, the Chairman of the Committee on Foreign Relations), made the following Report, to-wit:

The Committee on Foreign Relations, to whom was referred the duty of recommending to the Convention suitable persons to fill the offices of Commissioners to several designated States, have had the same under consideration, and

REPORT:

For Virginia, H. L. Benning, of Muscogee.
For Maryland, A. R. Wright, of Richmond.
For Kentucky, H. R. Jackson, of Chatham.
For Tennessee, H. P. Bell, of Forsyth.
For Missouri, L. J. Glenn, of Fulton.
For Arkansas, D. P. Hill, of Harris.
For Delaware, D. C. Campbell, of Baldwin.
For North Carolina, Samuel Hall, of Macon.

The Report was taken up and read, when, on motion of Mr. Toombs, (who stated that Mr. Jackson had declined to serve as Commissioner to Kentucky), so much of the Report as referred to that State, was recommitted to the Committee on Foreign Relations."

The remainder of the Report was agreed to.

Mr. Stephens, of Taliaferro, from the Committee on Foreign Relations, reported the following Resolutions:

Resolved, That the delegates sent from this State by this Convention, to the proposed Congress to assemble at Montgomery, Alabama, on the 4th day of February next, be fully authorized and empowered, upon free conference and consultation with delegates that may be sent from other seceding States, to said Congress, to unite with them in forming and putting into immediate operation, a temporary or Provisional Government, for the common safety and defense of all the States represented in said Congress. Such temporary or Provisional Government not to extend beyond the period of twelve months from the time it goes into operation, and to be modeled as nearly as practicable on the basis and principles of the late Government of the United States of America. The powers of the delegates so appointed by this Convention in this particular, being hereby declared to be full and plenary.

Be it further Resolved, That said delegates be likewise authorized, upon like conference and consultation with the delegates from the other States in said Congress, to agree upon a plan of permanent Government for said States, upon the principles and basis of the Constitution of the late United States of America, which said plan or Constitution of permanent Government which shall not be binding or obligatory upon the people of Georgia, unless submitted to, approved, and ratified by this Convention.

The report was taken up and read, when Mr. Fouche

moved to lay the same upon the table for the present, and to print 300 copies thereof.

The motion was lost, and the Report was agreed to.

SPECIAL ORDER.

The special order of the day, to-wit:

“An Ordinance, to make provisional arrangements for the continuance of Commercial Facilities in Georgia,” was then taken up and read.

Mr. Hood, of Randolph, from the minority of the Committee on Commercial and Postal Arrangements, reported the following Ordinance, as a substitute for the Ordinance proposed by the majority of said Committee.

AN ORDINANCE

To Make Provisional Arrangements for the Continuance of Commercial Facilities in Georgia.

We, the people of Georgia, in Convention assembled, do declare and Ordain, and it is hereby declared and Ordained,

First, That all citizens of the State of Georgia, who, on the 19th day of January, 1861, were holding office connected with the customs, under the Government of the late United States, within the limits of this State, be, and they are hereby appointed to hold under the Government of this State, exclusive of any further connection whatever with the Government of the late United States, the same offices they now fill, until otherwise directed, and to receive the same pay and emoluments for their services.

Second, That until the Convention or other Provisional Government shall otherwise provide, the Governor shall appoint to all vacancies which now exist or may hereafter occur in such offices.

Third, That until otherwise provided, the Revenue Collection, and Navigation laws of the late United States, so far as they may be applicable, be, and they are hereby adopted and made the laws of this State, saving that no duties shall be collected upon imports from the States forming the late United States, nor upon the tonnage of vessels owned in whole or in part by the citizens of said States; *Provided*, if the said late United States should assume an attitude of hostility toward the State of Georgia, then the Governor, by his Proclamation, shall put them upon the same footing with all other foreign nations. And, saving and excepting the Act of Congress, adopted the 3rd day of March, 1817, entitled, "An Act authorizing the deposit of papers of foreign vessels with the Consuls of their respective nations," which Act is hereby declared to be of no force within the limits of this State.

Fourth, That all vessels built in Georgia, or elsewhere, and owned to the amount of one-third by a citizen, or citizens of Georgia, or of any of the seceding States from the late United States, and commanded by a citizen thereof, and no other, shall be registered as a vessel of Georgia, under the authority of the Collector and Naval Officers.

Fifth, That all the official acts of the officers aforesaid, in which it is usual and proper to set forth the authority under which they act, or the style of documents issued by

them, or any of them, shall be in the name of the State of Georgia.

Sixth, That all monies hereafter collected by any of the officers aforesaid, shall, after deducting the sums necessary for the compensation of officers, and other expenses incident thereto, be paid into the treasury of the State of Georgia, subject to the order of this Convention, or the General Assembly.

Seventh, That the officers aforesaid shall retain in their hands all property of the late United States in their possession, custody, or control, subject to the disposal of the proper authorities, who will account for the same, upon a final settlement with the Government of the late United States.

Mr. Hood moved that the substitute be adopted in lieu of the original Ordinance.

Whereupon Mr. Hill, of Troup, demanded that the yeas and nays be recorded.

There are yeas 130, nays 119, to-wit:

Those who voted in the affirmative, are Messrs.:

| | |
|----------------------|------------------|
| Adams of Camden, | Burch, |
| Alexander of Fulton, | Butts, |
| Algood, | Calhoun, |
| Bailey, | Cannon of Wayne, |
| Bartow, | Carson, |
| Benning, | Chastain, |
| Blalock, | Cheshier, |
| Brown of Houston, | Clarke, |
| Buchanan, | Cobb, |

Colquitt,
Cox,
Crawford of Greene,
Davis of Chattahoochee,
Davenport of Clay,
Davenport of Sumter,
Dewberry,
Douglass,
Dozier,
Fleming,
Flewellen,
Ford,
Fort of Stewart,
Fort of Wayne,
Fouche,
Furlow,
Gaulden,
Gee,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gresham,
Gunn,
Hall,
Hamilton,
Hammond,
Hansell,
Harvill,
Harris of Glynn,
Harris of McIntosh,
Hawkins,
Head,
Henderson,
Hendry,
Hendricks,
Hill of Hart,
Hilliard,

Hines,
Hood,
Howell,
Huggins,
Jackson,
Jennings,
Johnson of Oglethorpe,
Jones of Burke,
Jones of Chatham,
Knox,
Lamar of Bibb,
Lamb,
Lattimer of Appling,
Lester,
Lindley,
Logan,
Logue,
Lyle,
Mallary,
Martin of Elbert,
Martin of Lumpkin,
McConnell of Catoosa,
McCulloch,
McDowell,
McLeod,
Milton,
Moore of Bulloch,
Moor of Spalding,
Mounger,
Padget,
Patterson,
Phinzy of Richmond,
Pickett,
Pittman,
Poe,
Porter,
Poullain,
Prescott,
Price,

| | |
|------------------------|-----------------------|
| Pruett, | Taliaferro, |
| Ramsey of Clinch, | Thomas of Dooly, |
| Ramsey of Muscogee, | Tillman, |
| Rice, | Tomlinson, |
| Robinson, | Toombs, |
| Roddey, | Troup, |
| Rutherford, | Tucker of Colquitt, |
| Sheffield of Calhoun, | Turner of Wilcox, |
| Sheffield of Early, | Usry, |
| Slater, | Varnadoe, |
| Skelton, | Walton, |
| Simms, | Waterhouse, |
| Singleton, | Wellborn, |
| Solomons, | Whitehead, |
| Spencer, | Williams of McIntosh, |
| Stephens of Pierce, | Word, |
| Strickland of Forsyth, | Young of Gordon. |

Those who voted in the negative are Messrs.:

| | |
|---------------------|--------------------|
| Adams of Putnam, | Davis of Putnam, |
| Alexander of Upson, | Day, |
| Arnold, | Dickerson, |
| Beasley, | Fain, |
| Beck, | Farnsworth, |
| Beall of Forsyth, | Fields, |
| Black, | Fitzpatrick, |
| Bowen, | Freeman, |
| Brewton, | Frier, |
| Briscoe, | French, |
| Brown of Marion, | Gordon, |
| Bush, | Graham, |
| Byrd, | Gray, |
| Cannon of Rabun, | Hale, |
| Cantrell, | Hargroves, |
| Cochran of Terrell, | Harris of Hancock, |
| Coleman, | Herrington, |
| Corn, | Hill of Harris, |
| Dabney, | Hill of Troup, |

| | |
|-------------------------|--------------------------|
| Hudson of Gwinnett, | Reese, |
| Hudson of Harris, | Reynolds, |
| Hust, | Rowe, |
| Johnson of Clayton, | Saffold, |
| Johnson of Hall, | Sharman, |
| Johnson of Jefferson, | Sharpe, |
| Jordan, | Shell, |
| Kenan, | Shropshire of Chattooga, |
| Ketchum, | Shropshire of Floyd, |
| Killgore, | Simmons of Gwinnett, |
| Kimsey, | Simmons of Pickens, |
| Kirkland, | Sirmons, |
| Lamar of Lincoln, | Sisk, |
| Lattimer of Montgomery, | Smith of Charlton, |
| Low, | Smith of Johnson, |
| Mabry of Berrien, | Smith of Talbot, |
| Mabry of Heard, | Spence, |
| Manson, | Stapleton, |
| Martin of Meriwether, | Stephens of Monroe, |
| McConnell of Cherokee, | Street, |
| McDaniel, | Strickland of Tatnall, |
| McRae, | Teasley, |
| Means, | Thomas of Whitfield, |
| Mershon, | Tidwell, |
| Mitchell, | Trippe, |
| Montgomery, | Tucker of Laurens, |
| Morrow, | Warner, |
| Neil of Talbot, | Webb, |
| Newton, | West, |
| Nisbet, | Welchel, |
| Overstreet, | Willingham, |
| Paris, | Williams of Chattooga, |
| Patrick, | Williams of Harris, |
| Phinzy of Monroe, | Williamson, |
| Pierce, | Willis, |
| Pinson, | Winn of Cobb, |
| Pitts, | Wofford, |
| Pofford, | Wood, |

Wright,
Yates,

Yopp,
Young of Irwin.

So the substitute was adopted in lieu of the Original Ordinance, and having been read twice was passed with the following amendment, to-wit:

After the words "holding office," in the first section, to add the words, "or who may have resigned, and where resignations may not have been accepted."

Mr. Cobb, from the Committee on the Constitution of the State and the Constitution and Laws of the United States, submitted the following, which, on his motion, without being read, was laid on the table, until after the proposed recess, and 1,000 copies ordered to be printed:

The fundamental principles of Free Government can not be too well understood or too often recurred to. Hence we declare this

BILL OF RIGHTS.

All Government derives its authority from the consent of the governed; who may modify, alter or annul the same whenever their safety or happiness requires it. No Government should be changed for slight or transient causes, nor unless upon reasonable assurance that a better will be established.

Protection to person and property is the consideration of allegiance; and a Government which knowingly and persistently denies or withholds such protection from the governed, releases them from the obligation of obedience.

No citizen shall be deprived of life, liberty, or property, except by due process of law; and of life or liberty only by the judgment of his peers. The writ of habeas corpus shall not be suspended unless when in case of rebellion or invasion the public safety may require it.

A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

The pervallence of the Christian religion among the people, and the basis of Christian principles underlying the laws, entitle this State to be ranked among the Christian nations of the earth, and as those principles are independent of all political organization, no religious test shall ever be required for the tenure of any office, and no religious establishment allowed; and no citizen shall be deprived of any right or privilege by reason of his religious belief.

Freedom of thought and opinion, freedom of speech, and freedom of the press, are inherent elements of political liberty. But while every citizen may freely speak, write, and print, on any subject, he shall be responsible for the abuse of the liberty.

The right of the people to appeal to the Courts, to petition Government on all matters of legitimate cognizance, and peaceably to assemble for the consideration of any matter of public concern, can never be impaired.

For every right there should be provided a remedy, and every citizen ought to obtain justice without purchase, without denial, and without delay, conformably to the laws of the land.

Every person charged with an offense against the laws of the State, shall have

1st. The privilege and benefit of counsel.

2nd. Shall be furnished, on demand, with a copy of the accusation, and a list of the witnesses against him.

3rd. Shall have the compulsory process of the Court to obtain the attendance of his own witnesses.

4th. Shall be confronted with the witnesses testifying against him, and

5th. Shall have a public and speedy trial by an impartial jury.

No person shall be put in jeopardy of life or liberty more than once for the same offense.

No conviction shall work corruption of blood, or general forfeiture of estate.

Excessive bail shall not be required or excessive fines imposed; nor cruel and unusual punishments inflicted.

The power of courts to punish for contempts should always be limited by legislative acts.

A faithful, honest, and fearless execution of the laws is essential to good order; and good order in society is essential to true liberty.

Legislative Acts in violation to the fundamental law are void; and the judiciary shall so declare them.

Ex post facto laws, or laws impairing the obligation of contracts, or retroactive legislation affecting the rights of the citizens, are prohibited.

Laws should have a general operation, and no general law should be varied in a particular case, by special legislation, except upon notice to all persons to be affected thereby.

The right of taxation can be granted only by the people, and should be exercised by their agents in Government only for the legitimate purposes of Government.

In cases of necessity, private ways may be granted upon just compensation being first paid; and with this exception private property shall not be taken except for public use; and then only upon just compensation, such compensation, except in cases of pressing necessity, should be first provided and paid.

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall be issued but upon probable cause, supported by oath or affirmation, and particularly describing the place or places to be searched, and the persons or things to be seized.

Extreme necessity only should justify the declaration of Martial Law.

Large standing armies in times of peace are dangerous to liberty.

No soldier shall, in time of peace, be quartered in any

house, without the consent of the owner, nor in time of war, but in a manner prescribed by law.

Titles of nobility are inconsistent with republican equality, and civil honors should come by merit and not by inheritance.

All powers not delegated to the Government, expressly or by necessary implication, are reserved to the people of the State. And in all doubtful cases the denial of the grant is the ground safest for the liberty of the people.

The enumeration of rights herein contained shall not be construed to deny to the people any inherent rights which they have hitherto enjoyed.

Mr. Briscoe, from the Committee on Enrollment, reported as duly enrolled, and ready for the signature of the President, certain Ordinances passed in secret session, which were signed by the President, and transmitted to the Governor.

Mr. Singleton moved that Mr. Brown, of Marion, be placed upon the Committee on Accounts, in lieu of Mr. McDonald of Ware, who was absent.

The motion was agreed to.

Mr. Bartow, from the Committee on Military Affairs, made the following

REPORT:

The Committee on Military Affairs, to whom was referred an Ordinance to organize a mounted police in each

of the several counties of the State, and for other purposes, have considered the same, and report that, in their opinion, the said Ordinance ought not to pass.

The report was taken up and agreed to.

Mr. Bartow, from the same Committee, also made the following

REPORT:

That the Committee to whom was referred a Resolution directing them "to enquire into the expediency and practicability of establishing an Armory for the use of the State within its limits, and to report to the Convention," ask leave for further time, to make their report.

The report was taken up, read, and the leave asked, was granted.

Leave of absence was granted to Messrs. Buchanan, Hill of Hart, Martin of Elbert, Turner of Hancock, Moore of Bulloch, Pinson, McGriff, Fitzpatrick, Cobb, Richardson of Twiggs, and Smith of Johnson.

The Convention then adjourned till ten o'clock to-morrow morning.

TUESDAY, JANUARY 29, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Crawford.

A quorum being present, the journal was read.

Mr. Tidwell moved to reconsider so much of the journal of yesterday as relates to the passage of

AN ORDINANCE

To make Provisional Arrangements for the Continuance of Commercial Facilities in Georgia.

Mr. Hood moved the previous question, which, being seconded prevailed, when the yeas and nays were demanded to be recorded.

There are yeas 113; nays 143, to-wit:

Those who voted in the affirmative are Messrs.

| | |
|---------------------|---------------------|
| Adams of Putnam, | Day, |
| Alexander of Upson, | Deupree, |
| Arnold, | Dickerson, |
| Beasley, | Fain, |
| Beck, | Freeman, |
| Beall of Troup, | Frier, |
| Black, | French, |
| Brewton, | Gordon, |
| Briscoe, | Graham, |
| Brown of Marion, | Gray, |
| Brown of Webster, | Hale, |
| Bullard, | Haines, |
| Burnett, | Hargroves, |
| Bush, | Harris of Hancock, |
| Byrd, | Henderson, |
| Cannon of Rabun, | Herrington, |
| Cochran of Terrell, | Hill of Harris, |
| Cody, | Hill of Troup, |
| Corn, | Hudson of Gwinnett, |
| Dabney, | Hudson of Harris, |
| Davis of Putnam, | Hust, |

| | |
|-------------------------|--------------------------|
| Johnson of Clayton, | Saffold, |
| Johnson of Hall, | Sharman, |
| Johnson of Jefferson, | Sharpe, |
| Jordon, | Shropshire of Chattooga, |
| Kenan, | Shropshire of Floyd, |
| Ketchum, | Simmons of Gwinnett, |
| Killgore, | Simmons of Pickens, |
| Kimsey, | Sirmons, |
| Kirkland, | Sisk, |
| Lamar of Lincoln, | Smith of Charlton, |
| Langmade, | Smith of Johnson, |
| Lattimer of Montgomery, | Smith of Talbot, |
| Low, | Spence, |
| Long, | Stapleton, |
| Mabry of Heard, | Starr, |
| Manson, | Stephens of Monroe, |
| Martin of Meriwether, | Street, |
| McDaniel, | Strickland of Tatnall, |
| McRae, | Thomas of Whitfield, |
| Means, | Tidwell, |
| Mershon, | Trippe, |
| Mitchell, | Tucker of Laurens, |
| Montgomery, | Warner, |
| Morrow, | Webb, |
| Neal of Talbot, | West, |
| Newton, | Welchel, |
| Nisbet, | Willingham, |
| Overstreet, | Williams of Chattooga, |
| Paris, | Williams of Harris, |
| Patrick, | Williamson, |
| Phinzy of Monroe, | Wood, |
| Pierce, | Wright, |
| Pitts, | Yates, |
| Pofford, | Yopp, |
| Reynolds, | Young of Irwin. |
| Rowe, | |

Those who voted in the negative are Messrs.

| | |
|-------------------------|------------------------|
| Adams of Camden, | Fort of Stewart, |
| Alexander of Fulton, | Fort of Wayne, |
| Algood, | Fouche, |
| Bailey, | Furrow, |
| Banks, | Gaulden, |
| Bartow, | Gardner, |
| Bell of Forsyth, | Gee, |
| Benning, | Gholston, |
| Blalock, | Glenn of Fulton, |
| Bowen, | Glenn of Oglethorpe, |
| Brown of Houston, | Glover, |
| Bryan, | Giles, |
| Burch, | Gresham, |
| Butts, | Gunn, |
| Calhoun, | Hamilton, |
| Cannon of Wayne, | Hammond, |
| Carson, | Hansell, |
| Chastain, | Harville, |
| Cheshier, | Harris of Glynn, |
| Clarke, | Harris of McIntosh, |
| Cleveland, | Harvey, |
| Coleman, | Hawkins, |
| Colquitt, | Head, |
| Crawford of Richmond, | Hendry, |
| Daniel, | Hendricks, |
| Davis of Chattahoochee, | Hilliard, |
| Davenport of Clay, | Hines, |
| Davenport of Sumter, | Hood, |
| Dennis, | Howell, |
| Dewberry, | Huggins, |
| Douglass, | Hull, |
| Dozier, | Jackson, |
| Farnsworth, | Jennings, |
| Fleming, | Johnson of Oglethorpe, |
| Flewellen, | Jones of Burke, |
| Fields, | Jones of Chatham, |
| Ford, | Knox, |

| | |
|------------------------|------------------------|
| Lamar of Bibb, | Robinson, |
| Lamb, | Roddey, |
| Lester, | Rutherford, |
| Lindley, | Sheffield of Calhoun, |
| Logan, | Sheffield of Early, |
| Logue, | Shell, |
| Lyle, | Slater, |
| Mallary, | Skelton, |
| Martin of Lumpkin, | Simms, |
| McConnell of Catoosa, | Singleton, |
| McConnell of Cherokee, | Solomons, |
| McCulloch, | Spencer, |
| McDowell, | Stephens of Pierce, |
| McLeod, | Strickland of Forsyth, |
| Milton, | Taliaferro, |
| Moore of Bulloch, | Teasley, |
| Moor of Spalding, | Thomas of Dooly, |
| Mounger, | Tillman, |
| Munnerlyn, | Tomlinson, |
| Padget, | Toombs, |
| Patterson, | Troup, |
| Phinizy of Richmond, | Tucker of Colquitt, |
| Picket, | Turner of Wilcox, |
| Pittman, | Varnadoe, |
| Poe, | Walton, |
| Ponder, | Waterhouse, |
| Porter, | Wellborn, |
| Poullain, | Whitehead, |
| Prescott, | Williams of McIntosh, |
| Price, | Willis, |
| Pruett, | Winn of Cobb, |
| Ramsey of Muscogee, | Wofford, |
| Reed, | Word, |
| Rice, | Young of Gordon. |
| Richardson of Lee, | |

So the motion to reconsider was lost.

Mr. Clarke, from the "Committee on the Constitution

and Laws of State and the Constitution and Laws of the United States," laid on the table the following report and resolutions referred to therein.

"Mr. President: I am instructed to report a set of resolutions in connection herewith, for providing some remedy against the unlawful seizure of the arms and other property of the State of Georgia, by the authorities or people of other States, and which report is also made at the suggestion and request of his Excellency the Governor of this State.

Whereas, late events indicate a disposition upon the part of certain persons at the North, either under the authority of the State officers, or in unauthorized bands to seize and retain arms and ammunition intended for the seceding States, and whereas, Georgia can not and will not tolerate any such interference with her rights, under the Laws of Nations, therefore:

Be it resolved, That upon sufficient information being given to him of any such interference with arms or ammunition, intended for Georgia, the Governor of this State be, and he is hereby authorized, immediately to demand of the Governor of the State where such outrage is committed, a restitution of the property, or ample remuneration for the same, with security against the repetition of such outrage. And if such indemnity is not given within twelve days from the date of the demand, the Governor of this State is hereby authorized to make reprisals from the property of the citizens of such recreant State, to be found within the borders of this State, or the waters adjacent thereto; and in his discretion he may issue in addition thereto, letters of Marque and Re-

praisal against the commerce going to and coming from the ports of such recusant State under the flag of the United States of America.

Be it further resolved, That whenever the Governor shall thus proceed, the judgment and other liens in favor of the citizens of such recusant State proceeded against shall be suspended, and such citizens shall lose and not be allowed to hold any status as plaintiffs in any of the courts of this State.

The report was read and laid on the table until after the recess.

Mr. Nisbet, from the committee of seventeen, to report the Ordinance of Secession, after stating that it was written by Mr. Toombs, made the following

REPORT,

which was taken up, read, and adopted.

“The people of Georgia have dissolved their political connection with the Government of the United States of America, present to their confederates, and the world, the causes which have led to the separation. For the last ten years we have had numerous and serious causes of complaint against our non-slaveholding confederate States, with reference to the subject of African slavery. They have endeavored to weaken our security, to disturb our domestic peace and tranquility, and persistently refused to comply with their express constitutional obligations to us in reference to that property, and by the use of their power in the Federal Government, have striven to deprive us of an equal enjoyment of the common Ter-

ritories of the Republic. This hostile policy of our confederates has been pursued with every circumstance of aggravation which could arouse the passions and excite the hatred of our people, and has placed the two sections of the Union, for many years past, in the condition of virtual civil war. Our people, still attached to the Union, from habit and National traditions, and averse to change, hoped that time, reason and argument would bring, if not redress, at least exemption from farther insults, injuries and dangers. Recent events have fully dissipated all such hopes, and demonstrated the necessity of separation. Our Northern confederates, after a full and calm hearing of all the facts, after a fair warning of our purpose not to submit to the rule of the authors of all these wrongs and injuries, have, by a large majority, committed the Government of the United States into their hands. The people of Georgia, after an equally full and fair and deliberate hearing of the case, have declared with an equal firmness, that they shall not rule over them. A brief history of the rise, progress and policy of anti-slavery, and of the political organization into whose hands the administration of the Federal Government has been committed, will fully justify the pronounced verdict of the people of Georgia. The party of Lincoln, called the Republican party, under its present name and organization is of recent origin. It is admitted to be an anti-slavery party, while it attracts to itself by its creed, the scattered advocates of exploded political heresies, of condemned theories in political economy, the advocates of commercial restrictions, of protection, of special privileges, of waste and corruption in the administration of the Government; anti-slavery is its mission and its purpose. By anti-slavery it is made

a power in the State. The question of slavery was the great difficulty in the formation of the Constitution. While the subordination and the political and social inequality of the African race were fully conceded by all, it was plainly apparent that slavery would soon disappear from what are now the non-slaveholding States of the original thirteen; the opposition to slavery was then, as now, general in those States, and the Constitution was made with direct reference to that fact. But a distinct abolition party was not formed in the United States, for more than half a century after the Government went into operation. The main reason was, that the North, even if united, could not control both branches of the Legislature during any portion of that time. Therefore, such an organization must have resulted, either in the utter failure, or in the total overthrow of the Government. The material prosperity of the North was greatly dependent on the Federal Government; that of the South not at all. In the first years of the Republic, the navigating, commercial and manufacturing interests of the North, began to seek profit and aggrandizement at the expense of the agricultural interests. Even the owners of fishing smacks sought and obtained bounties for pursuing their own business, which yet continue—and half a million dollars are now paid them annually out of the Treasury. The navigating interests begged for protection against foreign ship-builders and against competition in the coasting trade; Congress granted both requests, and by prohibitory acts, gave an absolute monopoly of this business to each of their interests, which they enjoy without diminution to this day. Not content with these great and unjust advantages, they have sought to throw the legitimate burdens of their business as much

as possible on the public; they have succeeded in throwing the cost of light-houses, buoys, and the maintenance of their seamen, upon the Treasury, and the Government now pays above two million dollars annually for the support of these objects. These interests in connection with the commercial and manufacturing classes, have also succeeded, by means of subventions to mail steamers, and the reduction of postage, in relieving their business from the payment of about seven millions of dollars annually, throwing it upon the public Treasury, under the name of postal deficiency. The manufacturing interests entered into the same struggle early, and has clamored steadily for Government bounties and special favors. This interest was confined mainly to the Eastern and Middle non-slaveholding States. Wielding these great States, it held great power and influence, and its demands were in full proportion to its power. The manufacturers and miners *wisely* based their demands upon special facts and reasons, rather than upon general principles, and therefore mollified much of the opposition of the opposing interest. They pleaded in their favor, the infancy of their business in this country, the scarcity of labor and capital, the hostile legislation of other countries towards them, the great necessity of their fabrics in time of war, and the necessity of high duties to pay the debt incurred in our war for independence; these reasons prevailed, and they received for many years enormous bounties by the general acquiescence of the whole country.

But when these reasons ceased, they were no less clamorous for government protection; but their clamors were less heeded,—the country had put the principle of protection upon trial and condemned it. After having

enjoyed protection to the extent of from fifteen to two hundred per cent. upon their entire business, for above thirty years, the Act of 1846 was passed. It avoided sudden change, but the principle was settled, and free trade, low duties, and economy in public expenditures was the verdict of the American people. The South, and North-western States sustained this policy. There was but small hope of its reversal,—upon the direct issue, none at all.

All these classes saw this, and felt it, and cast about for new allies. The anti-slavery sentiment of the North offered the best chance for success. An anti-slavery party must necessarily look to the North alone for support; but a united North was now strong enough to control the Government in all its departments, and a sectional party was therefore determined upon. Time, and issues upon slavery, were necessary to its completion and final triumph. The feeling of anti-slavery, which it was well known was very general among the people of the North, had been long dormant or passive,—it needed only a question to arouse it into aggressive activity. This question was before us: we had acquired a large territory by successful war with Mexico; Congress had to govern it, how—in relation to slavery—was the question, then demanding solution. This state of facts gave form and shape to the anti-slavery sentiment throughout the North, and the conflict began. Northern anti-slavery men of all parties asserted the right to exclude slavery from the territory by Congressional legislation, and demanded the prompt and efficient exercise of this power to that end. This insulting and unconstitutional demand was met with great moderation and firmness by the South. We had shed our blood and paid our money for

its acquisition; we demanded a division of it, on the line of the Missouri restriction, or an equal participation in the whole of it. These propositions were refused, the agitation became general, and the public danger great. The case of the South was impregnable. The price of the acquisition was the blood and treasure of both sections—of all; and therefore it belonged to all, upon the principles of equity and justice.

The Constitution delegated no power to Congress to exclude either party from its free enjoyment; therefore, our right was *good*, under the Constitution. Our rights were further fortified by the practice of the Government from the beginning. Slavery was forbidden in the country north-west of the Ohio river, by what is called the Ordinance of 1787. That Ordinance was adopted under the old confederation, and by assent of Virginia, who owned and ceded the country; and, therefore, this case must stand on its own special circumstances. The Government of the United States claimed territory by virtue of the treaty of 1783 with Great Britain; acquired territory by cession from Georgia and North Carolina; by treaty from France, and by treaty from Spain. These acquisitions largely exceeded the original limits of the Republic. In all these acquisitions the policy of the Government was uniform. It opened them to the settlement of all the citizens of all the States of the Union. They emigrated thither with their property of every kind (including slaves),—all were equally protected by public authority in their persons and property, until the inhabitants became sufficiently numerous, and otherwise capable of bearing the burthens and performing the duties of self-government, when they were admitted into

the Union, upon equal terms with the other States, with whatever republican Constitution they might adopt for themselves.

Under this equally just and beneficent policy, law and order, stability and progress, peace and prosperity marked every step of the progress of these new communities, until they entered as great and prosperous commonwealths into the sisterhood of American States. In 1820, the North endeavored to overturn this wise and successful policy, and demanded that the State of Missouri should not be admitted into the Union, unless she first prohibited slavery within her limits, by her Constitution. After a bitter and protracted struggle, the North was defeated in her special object; but her policy and position led to the adoption of a section in the law, for the admission of Missouri, prohibiting slavery in all that territory acquired from France, lying north of 36 deg. 30 min. north latitude, and outside of Missouri. The venerable Madison, at the time of its adoption, declared it unconstitutional; Mr. Jefferson condemned the restriction, and foresaw its consequences, and predicted that it would result in the dissolution of the Union. His prediction is now history. The North demanded the application of the principle of prohibition of slavery to all the territory acquired from Mexico, and all other parts of the public domain, then and in all future time. It was the announcement of her purpose to appropriate to herself all the public domain then owned and thereafter to be acquired by the United States. The claim itself was less arrogant than the reason with which she supported it. That reason was her fixed purpose to limit, restrain and finally to abolish slavery in the States where it exists. The South, with great unanimity, de-

clared her purpose to resist the principle of prohibition to the last extremity. This particular question, in connection with a series of questions affecting the same subject, was finally disposed of by the defeat of prohibitory legislation.

The Presidential election of 1852, resulted in the total overthrow of the advocates of restriction, and their party friends. Immediately after this result, the anti-slavery portion of the defeated party, resolved to unite all the elements in the North, opposed to slavery, and stake their future and political fortunes upon their hostility to slavery everywhere. This is the party to whom the people at the North have committed the Government. They raised their standard in 1856, and were barely defeated; they entered the Presidential contest again, in 1860, and succeeded.

The prohibition of slavery in the territories, hostility to it everywhere, the equality of the black and white races, disregard of all constitutional guarantees in its favor, were boldly proclaimed by its leaders, and applauded by its followers.

With these principles on their banners and these utterances on their lips, the majority of the people of the North, demand, that we shall receive them as our rulers.

The prohibition of slavery in the territories is the cardinal principle of this organization.

For forty years this question has been considered and debated in the halls of Congress, before the people, by the press, and before the tribunals of justice. The majority of the people of the North in 1860, decided it in

their own favor. We refuse to submit to that judgment, and in vindication of that refusal, we offer the Constitution of our country, and point to the total absence of any express power to exclude us; we offer the practice of our Government, for the first thirty years of its existence, in complete refutation of the position that any such power is either necessary or proper to the execution of any other power in relation to the territories. We offer the judgment of a large minority of the people of the North, amounting to more than one-third who united with the unanimous voice of the South against this usurpation; and finally, we offer the judgment of the Supreme Court of the United States, the highest judicial tribunal of our country in our favor. This evidence ought to be conclusive, that we have never surrendered this right; the conduct of our adversaries admonishes us that if we had surrendered it, it is time to resume it.

The faithless conduct of our adversaries is not confined to such acts as might aggrandize themselves or their section of the Union; they are content, if they can only injure us. The Constitution declares, that persons charged with crimes in one State and fleeing to another, shall be delivered up on demand of the Executive authority of the State from which they may flee, to be tried in the jurisdiction where the crime was committed. It would appear difficult to employ language freer from ambiguity; yet, for above twenty years, the non-slaveholding State, generally, have wholly refused to deliver up to us persons charged with crimes affecting slave property; our confederates, with punic faith, shield and give sanctuary to all criminals, who seek to deprive us of this property, or who use it to destroy us. This clause of

the Constitution has no other sanction than their good faith; *that* is withheld from us; we are remediless in the Union; out of it, we are remitted to the laws of nations.

A similar provision of the Constitution requires them to surrender fugitives from labor. This provision, and the one last referred to, were our main inducements for confederating with the Northern States; without them, it is historically true that we would have rejected the Constitution. In the fourth year of the Republic, Congress passed a law to give full vigor and efficiency to this important provision. This Act depended to a considerable degree upon the local magistrates of the several States for its efficiency; the non-slaveholding States generally repealed all laws intended to aid the execution of that Act, and imposed penalties upon those citizens whose loyalty to the Constitution, and their oaths, might induce them to discharge their duty. Congress then passed the Act of 1850, providing for the complete execution of this duty by Federal Officers. This law which their own bad faith rendered absolutely indispensable for the protection of Constitutional rights, was instantly met with ferocious revilings, and all conceivable modes of hostility. The Supreme Court unanimously, and their own local Courts, with equal unanimity, (with the single and temporary exception of the Supreme Court of Wisconsin) sustained its constitutionality in all its provisions. Yet it stands today a dead letter, for all practical purposes, in every non-slaveholding State in the Union. We have their covenants, we have their oaths, to keep and observe it, but the unfortunate claimant, even accompanied by a Federal Officer, with the mandate of the highest judicial authority in his hands, is everywhere met with fraud, with force, and with legislative enact-

ments, to elude, to resist and defeat him; claimants are murdered with impunity; officers of the law are beaten by frantic mobs, instigated by inflammatory appeals by persons holding the highest public employment in these States, and supported by legislation in conflict with the clearest provisions of the Constitution, and even the ordinary principles of humanity. In several of our confederate States, a citizen can not travel the highway with his servant, who may voluntarily accompany him, without being declared by law a felon, and being subjected to infamous punishments. It is difficult to perceive how we could suffer more by the hostility, than by the fraternity of such brethren.

The public law of civilized nations requires every State to restrain its citizens or subjects from committing acts injurious to the peace and safety of any other State, and from attempting to incite insurrection, or lessen the security, or disturb the tranquility of their neighbors, and our Constitution wisely gives Congress the power to punish all offences against the laws of nations.

These are sound and just principles which have received the approbation of just men in all countries, and all centuries. But they are wholly disregarded by the people of the Northern States, and the Federal Government is impotent to maintain them. For twenty years past the Abolitionists and their allies in the Northern States, have been engaged in constant efforts to subvert our institutions, and to incite insurrection and servile war amongst us. They have sent emissaries among us, for the accomplishment of these purposes. Some of these efforts have received the public sanction of a majority of the leading men of the Republican party in the

National Councils, the same men who are now proposed as our rulers. These efforts have in one instance led to the actual invasion of one of the slave-holding States, and those of the murderers and incendiaries who escaped public justice by flight, have found fraternal protection among our Northern Confederates.

These are the men who say the *Union shall be preserved*.

Such are the opinions and such are the practices of the Republican party, who have been called by their own votes to administer the Federal Government under the Constitution of the United States; we know their treachery, we know the shallow pretences under which they daily disregard its plainest obligations; if we submit to them, it will be our fault and not theirs. The people of Georgia have ever been willing to stand by this bargain, this contract; they have never sought to evade any of its obligations; they have never hitherto sought to establish any new government, they have struggled to maintain the ancient right of themselves and the human race, through and by that Constitution. But they know the value of parchment rights, in treacherous hands, and therefore, they refuse to commit their own to the rulers whom the North offer us. Why? Because by their declared principles and policy, they have outlawed three thousand millions of our property in the common territories of the Union, put it under the ban of the Republic in the States where it exists, and out of the protection of Federal law everywhere; because they give sanctuary to thieves and incendiaries who assail it to the whole extent of their power, in spite of their most solemn obligations and covenants; because their avowed purpose is to

subvert our society, and subject us, not only to the loss of our property but the destruction of ourselves, our wives, and our children, and the desolation of our homes, our altars, and our firesides. To avoid these evils, we resume the powers which our fathers delegated to the Government of the United States, and henceforth will seek new safe-guards for our liberty, equality, security and tranquility.”

On motion of Mr. Nisbet, 10,000 copies of the report were ordered to be printed in pamphlet form, for the use of the Convention.

Mr. Moor, from the Committee on Enrollment, made the following report:

The Committee on Enrollment report that they have enrolled and have now ready for the signature of the President the following ordinances, to-wit:

An ordinance to adopt certain laws of the late United States.

Also an ordinance to define certain offenses against the State of Georgia.

Also an ordinance concerning citizenship.

Whereupon the President signed, and the same were deposited in the office of the Secretary of State.

Mr. Wofford offered the following resolution, which was taken up, read, and adopted.

“*Resolved*, That the Pension Agent of the United States for the State of Georgia be requested to exercise

the usual functions of his agency, until further instructed by this Convention.”

Mr. Johnson, from the Committee on Enrollment, made the following report:

Mr. President: I am instructed by the Committee on Enrollment to report as duly enrolled—

An ordinance in relation to oaths.

An ordinance to make provisional postal arrangements in Georgia, and

An ordinance in reference to lands heretofore ceded to the late United States of America.

Whereupon the President signed, and the same were deposited in the office of the Secretary of State.

Mr. Rice, from the Committee on the Constitution of the State and the Constitution and Laws of the United States, to whom was referred an ordinance in relation to the Circuit and District Courts of the United States, reported the following:

AN ORDINANCE

To abolish the Circuit and District Courts of the United States and to establish other Courts in lieu thereof, and to continue in force certain judgments and executions.

The people of Georgia in Convention assembled, hereby declare and ordain,

That the Circuit and District Courts of the late United States for the State of Georgia be, and the same are

hereby abolished as Courts of the said United States, and the District Courts of the United States for the Northern and Southern Districts of the State of Georgia are hereby re-established as Courts of the independent State of Georgia, with the same jurisdiction and powers as they had under the laws of the United States, except so far as the same are modified by the ordinances of this Convention.

2. The commissions of all the judges and officers of said Courts are hereby terminated. And the Governor of this State is hereby authorized to appoint and commission a judge and other officers of said Courts to hold their commissions until the further action of this Convention—the said judge to reside in or near the city of Savannah in this State, and the said judge shall receive at the rate of twenty-five hundred dollars per annum as his salary.

3. The causes, civil and criminal, now pending in the Circuit Court of the late United States of Georgia, are hereby transferred to the District Court now hereby established for the Southern District of Georgia, and the said District Court shall have power to hear and determine the same.

4. The causes, civil and criminal, now pending in the District Courts of the Northern and Southern Districts of Georgia are continued without prejudice in the said Courts now hereby established; and the judgments and decrees heretofore rendered therein, and the executions issued thereon, shall lose no right, lien or validity by the operation of this ordinance or the ordinance of secession, but shall continue in force, as if the courts re-

mained in existence, and the stay law of the General Assembly of 1860 shall apply to the judgments and proceedings of said courts.

5. No civil suits in favor of citizens of other States shall be instituted in said Courts until the further order of this Convention, except cases of admiralty and maritime jurisdiction.

The report was taken up and agreed to, and the ordinance having been twice read, was adopted.

Mr. Fleming laid upon the table the following ordinance, which was read, and laid on the table till after the recess.

AN ORDINANCE

To alter and amend the first section of the third article of the Constitution of Georgia.

The people of Georgia in Convention assembled do declare and ordain,

That so much of the first section of the third article of the Constitution of Georgia, as is in the following words, to-wit: "The Supreme Court shall consist of three Judges, who shall be elected by the Legislature, for such term of years as shall be prescribed by law, and shall continue in office until their successors shall be elected and qualified," shall be stricken out, and the following inserted in lieu and place thereof, to-wit:

The Supreme Court shall consist of five Judges, who shall be appointed by the Governor of the State, with the advice and consent of two-thirds of the Senate, and shall hold their office during good behavior.

And be it further enacted, That so much of the said first section of the third article of the Constitution, as is in the following words, to-wit: "And shall sit at least once a year, at a time to be prescribed by law, in each of the five judicial districts, to be hereafter laid off and designated by the Legislature for that purpose, at the most central point in each judicial district, or at some other point in each district shall, by the General Assembly, be ordained for the trial and determination of writs of error from the several Superior Courts included in each judicial district," shall be stricken out, and the following inserted in lieu and place thereof, to-wit: And shall sit at least twice a year at Milledgeville; or wherever the Capitol of the State may be, for the trial and determination of writs of error, from the several Superior Courts of this State

And be it further ordained, That so much of the said first section of the third article of the Constitution, as is in the following words, to-wit: "And the said court shall at each session, in each district, dispose of and finally determine each and every case on the docket of such court, at the first term after such writ of error brought," shall be stricken out, and the following inserted in lieu thereof, to-wit: "And the said court shall, at each session, hear each and every case on the docket, unless prevented by Providential cause, and shall, in their discretion, dispose of and finally determine the same, either at the first or second term after such writ of error brought, and no decision shall be pronounced orally, but each and every decision shall be reduced to writing and submitted to the other Judges, or a majority of them for correction and approval before it is pronounced."

And be it further ordained, That so much of the said first section of the third article of the Constitution, as is in the following words, to-wit: "The Judges of the Superior Courts shall be elected for the term of four years, and shall continue in office until their successors shall be elected and qualified," shall be stricken out, and the following inserted in lieu thereof, to-wit: "The Judges of the Superior Courts shall be appointed by the Governor, with the advice and consent of two-thirds of the Senate, and shall continue in office during good behavior."

Mr. Hamilton laid on the table the following ordinance, which was taken up, read twice, and adopted:

"In view of the present condition of the country, and the alleged apprehension of foreign capitalists as to the scarcity of capital invested in this State—

Be it ordained, That to encourage the manufacturing and mining and other permanent improvements of this State, this Convention does hereby declare it to be the fixed policy of Georgia to protect all investments already made or which may hereafter be made by citizens of other States, in mines or manufacturing in this State, and capital invested in any other permanent improvement."

Mr. Bartow laid on the table the following resolution, which was taken up, read, and adopted:

Whereas, certain patriotic citizens of Georgia and South Carolina placed in the service of the State large numbers of their slaves, without remuneration, who were actively and laboriously employed at Fort Pulaski for about two weeks—

Be it resolved by the people of Georgia in Convention assembled, That the Governor be requested to convey to each of the gentlemen who contributed this force, the thanks of this Convention for their patriotic action.

And be it further resolved, That the Governor be also requested and authorized to make a suitable gratuity in money to the slaves thus employed.

Mr. Bartow offered the following:

“An ordinance concerning officers of the militia”—which was read and laid on the table.

Mr. Singleton laid on the table the following resolution, which was taken up, read, and agreed to:

“*Resolved,* That the Committee on accounts, at their earliest convenience, make a report providing for the pay of the delegates sent by this Convention to Montgomery, and Commissioners sent to the slave-holding States.”

Mr. Whitehead's resolution relative to adjournment, and the reassembling of this Convention, was taken up and read.

Mr. Whitehead moved to fill the blank therein with the word “Savannah.” The motion was lost. The word “Macon” was also proposed, which was lost. The blank was then filled with the word “Milledgeville” and the resolution was adopted.

Mr. Toombs, from the “Committee on Federal Relations,” to whom was referred the consideration of appointing a Commissioner from Georgia to Kentucky, re-

ported that the committee recommended the appointment of the Hon. W. C. Daniell to that State.

The report was taken up and agreed to.

Mr. Means offered the following resolution, which was taken up, read, and agreed to :

“Resolved, That the Convention signify its purpose to encourage, cherish, and advance, by all legitimate means in their power, all the important home institutions within their limits, whether literary, scientific, mechanical, agricultural, or professional, that they may aid as far as practicable, the moral and intellectual resources of the State to sustain her present, and advance her future fortunes.”

Mr. Glenn, of Fulton, offered the following preamble and resolutions :

Whereas, information has been communicated to this Convention of the death of the Hon. Charles Murphy, a delegate elect from the county of DeKalb, which occurred at his residence on the morning of the 16th instant.

Be it resolved unanimously, That this Convention do hereby sympathize with the family of the deceased in their sad bereavement, and deeply regret the loss of his services to the State and country.

Resolved, That the Secretary furnish a certified copy of this resolution to the family of the deceased.

The same was taken up, read, and made the special order of the afternoon of this day.

The President laid on the table the following communication from the Hon. Thomas Y. Simons, chairman of the Committee on Engrossed Ordinances and Resolutions of the South Carolina Convention, which was taken up and read:

CHARLESTON, January 22, 1861.

To the Honorable the President of the Convention of the people of Georgia:

SIR: I have the honor herewith to transmit to you, for the use of the distinguished body over which you preside, printed copies of the following documents, adopted by the people of South Carolina, in convention assembled, to-wit:

1. The declaration of the immediate causes which induce and justify the secession of South Carolina from the Federal Union, and the ordinance of secession.

2. The address of the people of South Carolina, assembled in convention, to the people of the slave-holding States of the United States.

3. Report on the address of a portion of the members of the General Assembly of Georgia.

4. Reports and resolutions providing for commissioners to the slave-holding States.

5. The correspondence between the Commissioners of the State of South Carolina to the Government at Washington, and the President of the United States.

The noble position which Georgia has taken in the maintenance of constitutional guarantee and right, has cheered the hearts and nerved the arms of our people in their defense.

In the earnest hope that our respective commonwealths, having cast aside the yoke of a hostile section, and resumed their separate independence, may soon be united with their sisters of the South in a Confederacy having similar institutions to protect, and similar interests to promote, and which may forever stand forth as at once the emblem and the realization of a government of liberty without license, of law without oppression, and philanthropy without fanaticism,

I am, with the highest regard and esteem,

Your obedient servant,

THOMAS Y. SIMONS,

Chairman Committee on Engrossed Ordinances and Resolutions.

The Convention then adjourned till 4 o'clock this afternoon.

4 O'CLOCK P. M.

Mr. Briscoe, from the committee to obtain the services of a suitable clergyman to officiate by opening the daily sessions of this Convention with prayer, offered for adoption the following resolution:

“Resolved, That the thanks of this Convention are due, and are hereby tendered the Rev. William Flinn and

the Rev. H. J. Adams (residents of this city) for their acceptable services in this Convention."

The resolution was taken up, read, and unanimously adopted.

Mr. Hill, of Troup, moved to reconsider so much of the resolution adopted this morning relative to the re-assembling of this Convention at "*Milledgeville*," after the recess.

The President decided that the motion was out of order.

Mr. Hill appealed from the decision of the Chair. The appeal was sustained by the Convention.

Whereupon, Mr. Hill moved to take up the resolution, to strike out "*Milledgeville*" and insert "*Savannah*," upon which motion the yeas and nays were demanded to be recorded.

The yeas are 137. Nays 100, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|----------------------|---------------------|
| Adams of Camden, | Bush, |
| Alexander of Fulton, | Butts, |
| Alexander of Upson, | Calhoun, |
| Banks, | Cannon of Wayne, |
| Black, | Cantrell, |
| Blalock, | Carson, |
| Brewton, | Casey, |
| Brown of Houston, | Clarke, |
| Brown of Marion, | Cleveland, |
| Brown of Webster, | Cochran of Terrell, |
| Bullard, | Cody, |

Colquitt,
Cox,
Crawford of Richmond,
Davis of Chattahoochee,
Dennis,
Dewberry,
Douglass,
Dozier,
Fain,
Fleming,
Flewellen,
Ford,
Fort of Wayne,
Fouche,
Frier,
Furlow,
Gaulden,
Gardner,
Gholston,
Glenn of Fulton,
Glenn of Oglethorpe,
Glover,
Giles,
Gordon,
Gunn,
Hamilton,
Hargroves,
Harvill,
Harris of Glynn,
Henderson,
Hendry,
Hill of Harris,
Hill of Troup,
Hines,
Hood,
Howell,
Hudson of Harris,
Huggins,
Hust,

Johnson of Hall,
Jones of Burke,
Jones of Chatham,
Kirkland,
Lamb,
Lattimer of Montgomery,
Lindley,
Logan,
Logue,
Lyle,
Mabry of Heard,
McConnell of Catoosa,
McCulloch,
McDowell,
McLane,
McLeod,
Means,
Mershon,
Moore of Bulloch,
Moor of Spalding,
Morrow,
Munnerlyn,
Overstreet,
Patterson,
Phinizy of Monroe,
Phinizy of Richmond,
Pittman,
Pitts,
Pofford,
Porter,
Poullain,
Prescott,
Price,
Ramsey of Clinch,
Ramsey of Muscogee,
Richardson of Lee,
Robinson,
Roddey,
Sherman,

Shell,
Slater,
Skelton,
Simms,
Sirmons,
Smith of Charlton,
Smith of Johnson,
Solomons,
Spencer,
Stapleton,
Starr,
Stephens of Monroe,
Stephens of Pierce,
Strickland of Tatnall,
Teasley,
Thomas of Dooly,
Tidwell,
Tillman,
Tomlinson,

Troup,
Tucker of Colquitt,
Tucker of Laurens,
Turner of Wilcox,
Usry,
Varnadoe,
Whitehead,
Williams of McIntosh,
Williamson,
Willis,
Winn of Cobb,
Wofford,
Wood,
Word,
Wright,
Yopp,
Young of Gordon,
Young of Irwin.

Those who voted in the negative are Messrs.:

Adams of Putnam,
Algood,
Arnold,
Bailey,
Beasley,
Beck,
Bell of Forsyth,
Beall of Troup,
Benning,
Bowen,
Briscoe,
Burnett,
Byrd,
Cannon of Rabun,
Chastain,
Cheshier,
Coleman,

Corn,
Crawford of Greene,
Dabney,
Davis of Putnam,
Davenport of Clay,
Day,
Deupree,
Dickerson,
Farnsworth,
Fields,
Fort of Stewart,
Freeman,
Gray,
Graham,
Hale,
Hammond,
Hansell,

| | |
|------------------------|--------------------------|
| Harris of Hancock, | Poe, |
| Head, | Ponder, |
| Herrington, | Reed, |
| Hilliard, | Reese, |
| Hudson of Gwinnett, | Reynolds, |
| Jackson, | Rice, |
| Johnson of Clayton, | Rowe, |
| Johnson of Jefferson, | Rutherford, |
| Johnson of Oglethorpe, | Saffold, |
| Kenan, | Sharpe, |
| Killgore, | Sheffield of Calhoun, |
| Kimsey, | Sheffield of Early, |
| Knox, | Shropshire of Chattooga, |
| Lamar of Lincoln, | Simmons of Gwinnett, |
| Lamar of Bibb, | Simmons of Pickens, |
| Lester, | Sisk, |
| Manson, | Smith of DeKalb, |
| Martin of Lumpkin, | Smith of Talbot, |
| Martin of Meriwether, | Spence, |
| McConnell of Cherokee, | Street, |
| McDaniel, | Strickland of Forsyth, |
| McRae, | Taliaferro, |
| Milton, | Trippe, |
| Mitchell, | Walton, |
| Montgomery, | Warner, |
| Mounger, | Waterhouse, |
| Neal of Talbot, | Webb, |
| Newton, | Wellborn, |
| Nisbet, | West, |
| Padget, | Whelchel, |
| Paris, | Willingham, |
| Patrick, | Williams of Chattooga, |
| Pickett, | Williams of Harris. |
| Pierce, | |

So the motion prevailed.

Mr. Johnson, from the Committee on Enrollment, re-

ported as duly enrolled, and ready for the signature of the President, the following Ordinances:

An Ordinance to make provisional arrangements for the continuance of Commercial facilities in Georgia.

An Ordinance in relation to the Circuit and District Courts of the United States in the State of Georgia.

An Ordinance to protect investments of foreign capital.

All of which were signed by the President, and deposited in the office of the Secretary of State.

Mr. Hill of Troup, offered the following resolution, which was taken up, read, and agreed to:

“Resolved, That the delegates to this Convention, from the county of Chatham, be, and they are hereby requested and authorized to make all suitable arrangements for the sittings of this Convention when it shall assemble after the recess in the city of Savannah.”

Mr. Clarke of Dougherty, offered the following resolution, which was taken up, read and agreed to:

“Resolved, That His Excellency, the Governor, be, and he is hereby authorized to advance to our Commissioners to the several States, and the members of the State to the Montgomery Convention, such sums as, in his discretion may be necessary, and to draw his warrant on the Treasury for the same.”

Mr. McLeod of Wilcox, laid on the table a preamble

and resolution, which was taken up, read, and referred to the Committee on Foreign Relations.

Mr. Glenn of Fulton, offered the following resolution:

“Resolved, That His Excellency, the Governor, be, and he is hereby requested to order an election for a delegate from the county of DeKalb, to fill the vacancy occasioned by the death of the Hon. Charles Murphy, deceased, or any other vacancy that might occur after giving ten days’ notice for said election.”

The resolution was taken up, read and adopted.

Mr. Bartow offered the following resolution:

“Resolved, That the Messenger and Doorkeeper of this Convention be allowed each, eight dollars a day, as their compensation, and that the assistant Doorkeeper be allowed two dollars a day while on duty.”

The resolution was taken up, read and adopted.

The special order of the afternoon, to-wit:

The preamble and resolution offered by Mr. Glenn of Fulton, relative to the death of the Hon. Charles Murphy, a delegate elect, from the county of DeKalb, was taken up, read, and unanimously adopted.

On motion of Mr. Kenan, the Convention then adjourned, subject to the call of the President, or in the event of his resignation or death, to the call of the Governor, in accordance with the resolution adopted this afternoon.

IN SECRET SESSION AT MILLEDGEVILLE.

THURSDAY, JANUARY 24, 1861.

The Convention met in secret session.

Mr. Bartow, from the Committee on Military Affairs, made the following reports:

FIRST:—

AN ORDINANCE

Concerning Officers of the Army and Navy.

Whereas, certain officers of the Army and Navy of the United States, citizens of the State of Georgia, impelled by patriotic motives, have already resigned their appointments, and tendered their services to the State; and *whereas*, others desire to make the same tender.

Be it ordained by the people of Georgia, in Convention assembled, That all such officers who have resigned for the purpose aforesaid, or who have made such offer, and all those on the active list who may resign and make such tender of services within such time as circumstances may admit shall, be received into the service of the State, and shall be appointed and commissioned by the Governor, to the same relative rank in the Army and Navy of Georgia, which they held under the Government of the United States, and shall receive the same pay from their entrance into service as they were entitled to at the time of their resignations.

Provided, That such commissions shall not extend beyond the time at which a Government of the Southern

Seceding States shall be established. and *provided* further, that the Governor of this State shall employ such officers in the service to which they may be respectively attached, in such a manner as in his judgment the public exigencies may require.

SECOND:

AN ORDINANCE

To provide for the public defence.

Be it further ordained by the people of Georgia, in Convention assembled, That the Governor of this State is hereby authorized to raise and equip a regular military force, and to employ the same in such defensive service as the public security in this or neighboring States may demand. Such regular force shall not exceed two regiments of infantry, or infantry and artillery in such proportion as the Governor may direct. The Governor as Commander-in-Chief, shall appoint and commission the necessary officers for these forces, selecting as far as practicable, officers of the United States Army, who may have entered the service of this State, according to their relative rank, but all such commissions may be revoked whenever a Government shall be established by the Southern States to which Georgia shall accede.

And be it further ordained, That for the regulation of all military matters, not otherwise provided for by the laws of this State, the articles of war, and the army regulations declared and established by the United States Government, as lately existing, are hereby adopted as far as applicable to the present condition of this State.

THIRD:

Resolved, That the Governor be authorized to purchase for the defence of the sea-bound Georgia, two propeller, or other steamers, and two sailing vessels, of light draft, to be armed and manned in such manner as their tonnage and capacity may require.

The reports were severally taken up, read, and made the special order of the day tomorrow.

The Convention then went into open session.

FRIDAY, JANUARY 25, 1861.

The Convention met in secret session.

The Journal of yesterday was read.

SPECIAL ORDER.

The special order of the day, to-wit: The Resolutions and Reports of Mr. Bartow from the Committee on Military affairs were taken up for consideration:

On motion of Mr. Bartow, the Resolution authorizing the Governor to purchase, for the defence of the State, two propeller or other steamers, and two sailing vessels, was taken up, and, on his motion recommitted and amended by inserting the words "or procure," after the word "purchase." striking out the word "two" and inserting "three;" and striking out the words "and two sailing vessels."

He also moved to amend the same by inserting the following additional Resolution:

Resolved, That the Governor be requested to contract with the Cuba Telegraph Company, for the construction of branch lines from the mainland to Brunswick, and such other place on the coast as may be expedient for the use of the State.

The amendments were received, and the Resolutions as amended were adopted.

Mr. Bartow then moved to take up the Ordinance for the public defence. On his motion the same was recommitted for amendment, when he offered the following, to add to the second section the words:

“The officers and enlisted men raised by this Ordinance shall receive the same pay and emoluments as are provided for similar service by th Laws of the United States.”

The amendment was received and the Ordinance was read twice and adopted.

He then moved to take up the Ordinance concerning officers of the Army and Navy, and recommit the same for amendment.

The Ordinance was amended by striking out the first proviso, to-wit: “*Provided*, That such commissions shall not extend beyond the time at which a Government of the Southern seceding States shall be established.

The amendment was received and the Ordinance having been read twice was adopted.

Mr. Bartow, from the Committee on Military affairs.

also reported the following Resolutions, which, on his motion, were taken up, read, and adopted, to-wit:

“Whereas, The present attitude of the State of Georgia requires that she should be put immediately in a state of defence, and this military preparation demands prompt action and sound organization, both for efficiency and economy.

Be it resolved, That the Governor be, and he is hereby empowered to employ such a military staff as may be necessary for effecting an organization, and introducing a sound system of administrative accountability.

Be it further resolved, That these appointments shall be temporary, until such time as the Southern seceding States shall establish a Government, and provide a Military Establishment for their common defence, and that the officers so appointed shall keep their offices at such points, to be stationed in such manner as the Governor and Commander-in-Chief may direct.”

On motion of Mr. Bartow the foregoing Ordinances and Resolutions were ordered to be enrolled, and when signed by the President, to be delivered to the Governor.

The Convention then went into Open Session.

PROCEEDINGS OF THE CONVENTION AT SAVANNAH IN OPEN SESSION.

SAVANNAH, GEORGIA, March 7, 1861.

The Convention, in accordance with the Proclamation of the President, under its resolution at Milledgeville to

take a recess, met this day at the hour of 12 o'clock m., in this city, and was opened with prayer by the Rev. Mr. Caldwell.

A quorum being present, the journal of its last day's proceedings at Milledgeville was read.

Mr. Hood offered the following resolution:

Resolved, That the President of this Convention do take the following oath: "I do solemnly swear that I will support, maintain, and defend the Constitution of the Provisional Government of the Confederate State of America to the best of my ability, so help me God"—before the Hon. William B. Fleming, Judge of the Superior Courts of the Eastern District; and that, thereupon, the President administer the same oath to each of the members of this Convention, the Secretary and assistant Secretary.

The resolution was taken up, read and disagreed to.

Mr. Smith, of DeKalb, offered the following resolution, which was taken up, read, and adopted.

Resolved, That the name of F. P. Hoyal be enrolled as a member of this Convention, and that he be allowed to take his seat in the same.

Mr. Saffold offered the following resolution, which was taken up, read and adopted.

Resolved, That the Messenger of the Convention be authorized to distribute, in equal proportion, to each

member of the Convention, the printed address of the
“Committee of seventeen.”

Mr. Hamilton, of Lumpkin, offered the following resolution:

Whereas, It will become necessary for the Confederate States of America to select a location for a National Capitol. Be it, therefore,

Resolved, That the Governor of this State be, and he is hereby authorized to furnish, free of charge, any such location that might be made in this State.

The resolution was taken up, read and lost.

Mr. Garvin, from a minority of the Committee on Reduction of the General Assembly, offered the following as a substitute for the previous report of said Committee, to-wit:

AN ORDINANCE

To alter the 3d and 7th sections of the first Article of the Constitution of the State of Georgia.

“The Senate shall consist of forty members; four from each Senatorial District. There shall be ten districts arranged as follows:

The *First District* shall be composed of the counties of Appling, Berrien, Bryan, Bulloch, Catham, Camden, Charlton, Clinch, Coffee, Effingham, Emanuel, Glynn, Liberty, McIntosh, Montgomery, Pierce, Scriven, Telfair, Tatnall, Ware and Wayne.

The *Second District* shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt, Dooly, Decatur, Dougherty, Early, Echols, Irwin, Lee, Lowndes, Mitchell, Miller, Randolph, Terrell, Thomas, Wilcox and Worth.

The *Third District* shall be composed of the counties of Chattahoochee, Harris, Muscogee, Marion, Macon, Quitman, Stewart, Sumter, Schley, Taylor, Talbot and Webster.

The *Fourth District* shall be composed of the counties of Baldwin, Bibb, Crawford, Jones, Jasper, Houston, Laurens, Putnam, Pulaski, Twiggs and Wilkinson.

The *Fifth District* shall be composed of the counties of Burke, Columbia, Glascock, Hancock, Jefferson, Johnson, Lincoln, Richmond, Warren, Wilkes and Washington.

The *Sixth District* shall be composed of the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Morgan, Newton, Oglethorpe, Taliaferro and Walton.

The *Seventh District* shall be composed of the counties of Butts, Clayton, Fayette, Henry, Meriwether, Monroe, Pike, Spalding, Troup and Upson.

The *Eighth District* shall be composed of the counties of Campbell, Carroll, Cobb, Coweta, DeKalb, Fulton, Haralson, Heard, Paulding and Polk.

The *Ninth District* shall be composed of the counties of Banks, Cherokee, Dawson, Forsyth, Gwinnett, Haber-

sham, Hall, Jackson, Lumpkin, Milton, Pickens, Rabun, Towns, Union and White.

The *Tenth District* shall be composed of the counties of Cass, Catoosa, Chattooga, Dade, Fannin, Floyd, Gordon, Gilmer, Murray, Walker and Whitfield.

At the first election held under this Ordinance there shall be four Senators elected from each Senatorial District, two of whom shall hold their office for two years, and two for four years, and the first Senators elected for each District, shall be divided into two classes by lot, as soon as the Senate shall convene and organize.

At every subsequent election which shall be held biennially, each district shall elect two Senators, who shall hold their office for four years. After each future enumeration of the inhabitants of the State, made under the Laws and Constitution thereof, the General Assembly, at its next session, may arrange the foregoing Senatorial Districts in such manner as will, as nearly as practicable, give each an equal representative population.

The House of Representatives shall be elected biennially, and shall consist of one hundred and thirty-two members; each county shall have one representative.

These amendments shall be submitted for ratification to the people of this State, at an election to be holden on the first day of July next, which shall be managed and conducted in the usual manner now established by law. Each voter shall endorse on his ticket the words, "Ratification" or "No Ratification." The managers in each county shall make returns in the manner now prescribed, to His Excellency the Governor, who shall add up all the

returns, and by proclamation on or before the first of August next ensuing announce the result. If a majority of votes be given for ratification, the election in October next for members of the General Assembly shall be held according to this amendment, and the Governor shall so announce in his said proclamation.

The report was taken up, and read, and 500 copies ordered to be printed.

Mr. Shropshire, of Floyd, moved to commit the foregoing to the Committee on Reduction, and also, to recommit the original report and substitute to the same Committee.

The motion was agreed to.

Mr. Bell, of Forsyth, offered the following resolution:

Resolved. That the people of Georgia in Convention assembled, most heartily approve the election by the Congress at Montgomery, of the Hon. Jefferson Davis to the Presidency, and the Hon. A. H. Stephens to the Vice-Presidency of the Provisional Government of the Confederate States of America, the duties of which position their distinguished public services, and acknowledged abilities eminently qualify them to discharge.

The resolution was taken up, read, and unanimously adopted.

On motion of Mr. Crawford, of Greene, the Secretary of the Convention was directed to transmit a copy of the foregoing to the Congress of the Confederate States of America.

Mr. Johnson, of Clayton, offered the following resolution, which was taken up, read, and agreed to.

Resolved, That Reporters of newspapers be allowed seats on the floor of this Convention, when in open session, and that the Door Keeper and Messenger provide seats for the same.

Mr. Tidwell offered the following resolution, which was taken up, read, and agreed to.

Resolved, That Dr. P. F. Hoyal, a delegate elect from the county of DeKalb, to fill the vacancy occasioned by the death of the Hon. Charles Murphy, be allowed to sign the Ordinance of Secession, as a delegate from said county of DeKalb.

The President laid upon the table communications from the Governor of New York, in reference to the resolution of this Convention in relation to the seizure of Fort Pulaski, and from the Governors of Maryland and Alabama, acknowledging the receipt of a copy of the Ordinance of Secession of this State, which were read by the Secretary.

The President also laid on the table communications from Dr. Wm. C. Daniell, the Commissioner from this State to the State of Kentucky; and from D. C. Campbell, Esq. the Commissioner from this State to the State of Delaware; which were read by the Secretary.

The Convention then adjourned till 11 o'clock tomorrow morning.

FRIDAY, MARCH 8, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Landrum.

A quorum being present, the journal of yesterday was read.

Mr. Crawford, of Greene, offered the following preamble and resolution, which were read:

Whereas, During her connection with the late United States, the State of Georgia was dependent upon the Northern States for her school books. and this dependence still continues; and whereas, it is important that, in all matters pertaining to education, the South should be independent of her late confederates. Therefore, to aid in effecting this desirable object—

Be it resolved by the Convention of the people of Georgia, That His Excellency, the Governor, be requested to offer a prize of five hundred dollars each for the following works, to be written or compiled by citizens resident in the Confederate States of America, viz.: A Spelling Book for the use of Common Schools; an Arithmetic; an English Grammar; a Geography, and two Reading Books, one for beginners, and one for more advanced scholars; the prize to be awarded by a committee appointed by the Governor, and the books selected to be published and printed within the Confederacy, and the copyright to be owned or disposed of by the authors or compilers of the several books.

Mr. Robertson, of Wilkes, offered the following resolution, which was read:

Resolved, That the Governor be requested to communicate to the Convention what provisions he has made for the defence of the State against invasion; the number and character of arms distributed, and at what points, and the amount which has been expended for the same.

Mr. Benning offered the following propositions as a substitute for the *third* and *seventh* sections of the *first* article of the Constitution of Georgia;

The Senate shall consist of thirty-two; four for each Congressional District, as it shall exist at the time of their election. Each Congressional district shall, by its elections biennially on the first Wednesday in October next, elect its four members in the mode prescribed by the present law, until that law may be changed by the Legislature.

The House of Representatives shall consist of sixty-four members, eight for each Congressional district, as it shall exist at the time of their election. Each Congressional district shall, by its electors, biennially, on the first Wednesday of October, elect its eight members, in the mode prescribed by the present law, until that mode may be changed by the Legislature.

And on Mr. Benning's motion the same was referred to the "Committee on the Reduction of the General Assembly."

Mr. Rice, of Cobb, offered the following resolution, which was taken up and read:

Resolved, That a committee of *seven* be appointed to examine into the condition of the defences of the city of Savannah and its approaches; to inquire what additional defence, if any, may be necessary, and to report to the Convention at the earliest possible day.

Mr. Styles moved to lay the same upon the table for the balance of the session—pending which,

On motion of Mr. Varnadoe, the resolution was laid on the table for the present.

Mr. Hood laid on the table the following ordinance, which was read, and, on his motion, was referred to the “Committee on the Constitution of the State, and the Constitution and Laws of the United States:”

AN ORDINANCE

In Relation to the Citizens of Georgia Holding Offices
Under the Government of the Late United States.

1st. *Be it ordained by the people of Georgia in Convention assembled*, That from and after the passage of this ordinance, any person who now resides in Georgia, or who was at the date of his appointment a citizen of Georgia, or who received his appointment as a citizen of Georgia, and who now holds any office or appointment under the Government of the late United States, either civil or military, of honor or profit, (other than persons connected with the postal service, and who actually reside in, and perform the service within the limits of the State,) and who shall not resign the office or appointment so held within ten days after a knowledge of the passage of this

ordinance, shall forfeit his citizenship, and shall never be a citizen of this State.

2d. *Be it further ordained*, That in the event of a hostile demonstration by the Government of the late United States against the Confederate States of America, or any one of them, then, and in that event, all property or state, real or personal, belonging to any such officer, civil or military, who shall have continued to adhere to the said government of the United States, after notice as herein before provided for, shall forever forfeit all of his said estate, real or personal, to the State of Georgia; the said property to be forfeited and confiscated in any county in which the said property, or any portion of it may be situated—the same to be forfeited in an action in the nature of an information—one-half thereof to the State, and the other half to the informer.

3d. *Be it further ordained*, That in the event no one shall make information thereof, it shall be the duty of the Grand Jury of the county to inquire into the matter, and require the Attorney or Solicitor-General of the circuit to prosecute the same to judgment, and, in that event, one-half thereof shall go to the county, and the other half to the State.

4th. *Be it further ordained*, That should the question of notice as prescribed for in the first section of this ordinance arise, it shall not be necessary to prove actual notice to the said officer, but it shall be held to prove and construed to mean ten days after reasonable time shall have elapsed to receive such information by due course of mail.

Mr. Styles offered the following resolution, which was taken up and read:

Resolved, That the Secretary be instructed to appoint a page for the convenience of this Convention.

Mr. Fouche moved to insert "two pages" instead of "a page."

The motion was lost.

The motion to adopt the resolution was also lost.

The ordinance offered by Mr. Fleming "to alter and amend the first section of the third article of the Constitution of Georgia," was taken up, and, on motion of Mr. Ramsey, was referred to the "Committee on the Constitution and Laws of the State, and the Constitution of the United States."

The report of Mr. Clarke, from the "Committee on the Constitution and Laws of the State and the Constitution of the United States," to-wit: A preamble and resolutions in relation to reprisals—was taken up, and recommended to the same committee.

The report of Mr. Cobb, from the Committee on the "Constitution and Laws of the State and the Constitution of the United States," to-wit: The "Bill of Rights"—was taken up, and, on motion, was postponed for the present.

Leave of absence was granted to Messrs. Porter, Bailey and Wofford for a few days.

On motion of Mr. Rice, the Convention then went into secret session, and having spent some time therein, the Convention adjourned till eleven o'clock tomorrow morning.

SATURDAY, MARCH 9, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Crawford.

A quorum being present the journal was read.

On motion, the journal of yesterday when in secret session, was read, secrecy having been removed from the proceedings of the Convention of that day.

The President announced the following committee in accordance with the resolution of Mr. Rice adopted on yesterday relative to the defence of Savannah, and its approaches, to-wit:

Messrs. Rice, Varnadoe, Burnett, Gaulden, Williams, of McIntosh, Giles and Alexander, of Upson.

The president laid on the table a communication from Messrs. Toombs, Nisbet, Stephens, Bartow, Hill and Cobb, delegates to the Congress at Montgomery, and members of this Convention explanatory of their absence.

Mr. Varnadoe offered the following preamble and resolution, which were taken up and read:

Whereas, General David E. Twiggs, late of the United States Army, actuated by a sense of duty and patriotism, and in obedience to the allegiance due his native State, delivered upon demand to the regular constituted authorities of the independent State of Texas, all the property of the late United States government under his control, and ordered its troops beyond the borders of said State.

Resolved, That this Convention indorse, approve, and ratify his conduct in the premises, and recognize in him a brave and honorable soldier, and a worthy and patriotic son of Georgia.

Mr. Alexander, of Upson, offered the following amendment to the foregoing:

Resolved, That neither General Twiggs, nor Colonel Hardee, requires any vindication among their old friends and neighbors in Georgia. Their defence may be found written by the point of the sword upon the battle-fields of their country, and upon the scarred forms of her enemies; yet this Convention but yields to a natural impulse when it expresses the scorn with which the people of Georgia look upon all attempts on the part of an abolition press, and a venal and fanatical Government to tarnish their fame, and to filch from them the rewards of long lives of glorious deeds and heroic doings.

The amendment was received, and the resolution, as amended was unanimously adopted.

Mr. Tidwell, from the Committee on Military Affairs, made the following report:

Whereas, by an ordinance passed by this Convention, Officers of the Army and Navy of the late United States, were to be received upon their resignation, into the Army of Georgia, with the same rank and pay. In conformity with this ordinance, Major Myers, a Paymaster in the Navy of the late United States, was appointed Paymaster by the Governor, and transferred to the Pay Department of the Army of Georgia:

And whereas, by an Act passed by the Congress of the Confederate States, organizing the Staff of the Army, no mention is made of Paymasters; Quarter-masters, by this act, are to do the duties of Paymasters. We, therefore, recommend Major Myers for the position of Quarter-master in the Army of the Confederate States, with the rank as held by him in the Army of Georgia; and that the Secretary of this Convention be instructed to forward a copy of this recommendation to the Secretary of War.

The report was taken up, read and adopted:

Mr. Tidwell offered the following resolution, which was taken up and read:

Resolved, That the thanks of this Convention, are due and hereby tendered to R. R. Cuyler, the President of the Central Railroad, together with the Directors thereof, for their kindness and liberality in presenting to the delegates and officers of this Convention, free tickets over said road, to and from the city. Also to the city authorities for their liberality and kindness in furnishing the Convention with the large and comfortable Hall which it now occupies.

Resolved, That said President and Directors, with the Mayor and Aldermen of the city of Savannah, be invited to seats in this Convention.

Resolved, That the Secretary give to the said President and Mayor notice of these resolutions.

Various amendments to the same were offered by Messrs. Hood, Garvin and Gaulden, pending the consideration of which, on motion, the resolutions and amendments were referred to a committee of five to report thereon, to-wit:

Messrs. TIDWELL,
GARVIN,
HOOD,
GAULDEN, and
MARTIN, of Elbert.

The resolution of Mr. Crawford, of Greene, laid on the table yesterday, relative to school books of the Confederate States of America, was taken up and read.

Mr. Fouche offered the following as a substitute for the same, to-wit:

Whereas, the frequent change of text-books in our schools, is not only a source of great and unnecessary expense to the people of this State, but has a manifest tendency to retard the progress of pupils in acquiring the elements of a sound and practical education; and has afforded the means to the enemies of our institutions, of driving a profitable trade in books, which are often made the vehicles for imposing upon the unsuspecting and untrained minds of the young their absurd theories and

dogmas upon the subject of African equality, and the sinfulness of African slavery—therefore,

Be it resolved by the people of Georgia in Convention assembled,

1st. That a Board of Commissioners to consist of seven members, be appointed by the Governor, with the advice and consent of two-thirds of the Senate, at the next session of the General Assembly of this State, whose duty it shall be to select, compile, or compose, a complete series of text books, in every department of literature and science, which upon being examined and approved by the Governor and two-thirds of the Senate, shall be adopted as text books in all the Schools, Academies and Colleges in this State.

2d. That no teacher in this State, shall be entitled to participate in any public fund now existing, or hereafter to be raised in this State, or any county thereof, for educational purposes, unless said teacher shall have adopted and used the text books provided for in the foregoing resolution.

3d. That a copy of this Preamble and Resolutions be sent to his Excellency the Governor, with the request to bring the same to the attention of the General Assembly at the opening of its next session, in order that the proper steps may be taken by that body for carrying into effect the measures herein set forth.

On motion of Mr. Crawford, of Greene, the foregoing substitute and the original Preamble and Resolutions,

were referred to a Committee of seven, to report thereon, to-wit:

MESSRS. CRAWFORD, of Greene,
FOUCHE,
MEANS,
MUNNERLYN,
RICE,
HULL, and
SAFFOLD.

Mr. Wofford offered the following Preamble and Resolutions, which were taken up, read and adopted:

Whereas, Under the Government of the United States prior to the secession of Georgia there has been annually paid to the Pensioners resident in said State a sum of money amounting to about twenty-three thousand dollars:

1st. *Resolved*, That this Convention urge the Congress of the Confederate States to make immediate provision for the payment of the Pensioners resident in this State, the amounts heretofore allowed them by the Government of the United States.

2d. *Resolved*, That the Secretary communicate the above to the Congress of the Confederate States.

Mr. Shropshire, of Floyd, from the Committee on Reduction of the General Assembly of this State, to whom was committed and recommitted all the measures proposed in the Convention for that purpose, reported the following:

AN ORDINANCE

To alter and amend the 3d, 4th, 7th and 8th Sections of the 1st Article of the Constitution of the State of Georgia, and for other purposes.

1st. *Be it ordained by the people of Georgia, in Convention assembled, and it is hereby ordained and declared, by the authority of the same,* That from and after the adoption of this Ordinance, the *third* Section of the first Article of the Constitution of this State, shall be so altered and amended, as to read as follows, to-wit:

Each Congressional District in this State shall be known as a Senatorial District, by the same number which designates it as a Congressional District. The Senate of Georgia shall be composed of forty members and no more; five to be chosen from each of said Districts by the legally qualified voters thereof, biennially, on the first Wednesday in October, until the day of election is altered by law.

2d. *Be it further ordained by the authority aforesaid,* That the fourth Section of the first Article of the Constitution of Georgia shall be so altered and amended as to read as follows, to-wit:

No person shall be a Senator who shall not have attained the age of twenty-five years, and have been five years a citizen of this State, and shall have usually resided within the district from which he shall be returned, at least one year preceding his election, except persons who have been absent on lawful business of this State, or of the Confederate States of America.

3rd. *Be it further ordained*, That the seventh Section of the first Article of the Constitution of this State shall be so altered and amended, as to read as follows, to-wit:

The House of Representatives shall be composed of eighty-five members, and no more. Eleven from the first Congressional District; thirteen from the second District; ten from the third District; eleven from the fourth District; twelve from the fifth District; ten from the sixth District; nine from the seventh District; and nine from the eighth District. Said members to be elected, biennially by the legally qualified voters of each District, respectively, on the first Wednesday in October, until the day of election is altered by law.

4th. *Be it further ordained*, That the eighth Section of the first Article of the Constitution of this State be so altered and amended as to read as follows, to-wit:

No person shall be a Representative who shall not have attained the age of twenty-one years, and have been a citizen of the State of Georgia five years, and have usually resided in the District in which he shall be chosen one year immediately preceding his election, unless he shall have been absent on the public business of this State, or of the Confederate States of America.

5th. *Be it further ordained*, That the foregoing alternations and amendments shall not be so construed as to vacate the commission of any member of the present General Assembly of Georgia.

The Report was taken up and read, when Mr. Shropshire, of Floyd, moved to print 500 copies of the same for the use of the Convention.

Mr. Hansell moved to lay the Report on the table till the 25th day of December next.

Upon which motion a discussion ensued, pending which, on motion of Mr. Hansell, the Convention adjourned till eleven o'clock Monday morning.

MONDAY, MARCH 11, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Clarke.

A quorum being present, the Journal was read.

The unfinished business of Saturday, to-wit: the consideration of Mr. Harvell's motion to lay upon the table until the 25th day of December next. The report of Mr. Shropshire, of Floyd, from the "Committee on Reduction of the General Assembly," was taken up and discussed, when the question being put.

On motion of Mr. Fouche, the yeas and nays were demanded to be recorded. On agreeing to the motion, the yeas are 54, nays 206, to-wit:

Those who voted in the affirmative are, Messrs.:

Adams, of Camden,
Bozeman,
Brewton,

Cannon, of Rabun,
Cannon, of Wayne,
Carswell,

| | |
|--------------------------|-------------------------|
| Cochran, of Wilkinson, | Mabry, of Berrien, |
| Corn, | McDonald, |
| Fain, | McGriff, |
| Farnsworth, | McRae, |
| Fitzpatrick, | Mershon, |
| Fort, of Wayne, | Mounger, |
| Frier, | Pickett, |
| Gaulden, | Prescott, |
| Gholston, | Pruett, |
| Hall, | Ramsey, of Clinch, |
| Hammond, | Ramsey, of Muscogee, |
| Hansell, | Rice, |
| Harris, of Glynn, | Richardson, of Twiggs, |
| Harris, of McIntosh, | Sirmons, |
| Henderson, | Sisk, |
| Hendry, | Stephens, of Hancock, |
| Herrington, | Stephens, of Pierce, |
| Huggins, | Strickland, of Tatnall, |
| Jones, of Chatham, | Styles, |
| Kimsey, | Tomlinson, |
| Lamb, | Tucker, of Colquitt, |
| Lattimer, of Appling, | Usry, |
| Lattimer, of Montgomery, | Williams, of McIntosh, |
| Low, | Young, of Irwin. |

Those who voted in the negative are, Messrs.:

| | |
|-----------------------|--------------------|
| Adams, of Putnam, | Black, |
| Alexander, of Fulton, | Bowen, |
| Alexander, of Upson, | Briggs, |
| Algood, | Briscoe, |
| Allen, | Brown, of Marion, |
| Anderson, | Brown, of Webster, |
| Arnold, | Bryan, |
| Banks, | Burch, |
| Bell, of Banks, | Bush, |
| Beall, of Forsyth, | Byrd, |
| Beall, of Troup, | Calhoun, |
| Benning, | Cantrell, |

| | |
|--------------------------|-------------------------|
| Carson, | Glover, |
| Casey, | Giles, |
| Cheshier, | Gordon, |
| Clarke, | Graham, |
| Cleveland, | Gresham, |
| Cochran, of Terrell, | Gunn, |
| Cody, | Hale, |
| Coleman, | Hamilton, |
| Collins, | Hargroves, |
| Colquitt, | Harville, |
| Cox, | Harris, of Hancock, |
| Crawford, of Greene, | Harris, of Meriwether, |
| Dabney, | Harvey, |
| Daniel, | Hawkins, |
| Davis, of Chattahoochee, | Head, |
| Davis, of Putnam, | Hendricks, |
| Davenport, of Clay, | Hill, of Hart, |
| Day, | Hilliard, |
| Dennis, | Hines, |
| Deupree, | Hood, |
| Dewberry, | Hoyal, |
| Dickerson, | Hudson, of Gwinnett, |
| Douglass, | Hudson, of Harris, |
| Dozier, | Hull, |
| Fleming, | Hust, |
| Flewellen, | Jennings, |
| Fields, | Johnson, of Clayton, |
| Ford, | Johnson, of Hall, |
| Fort, of Stewart, | Johnson, of Jefferson, |
| Fouche, | Johnson, of Oglethorpe, |
| Freeman, | Jones, of Burke, |
| French, | Jordan, |
| Furlow, | Kenan, |
| Gardner, | Ketchum, |
| Garvin, | Killgore, |
| Gee, | Kirkland, |
| Glenn, of Fulton, | Knox, |
| Glenn, of Oglethorpe, | Lamar, of Lincoln, |

| | |
|--------------------------|---------------------------|
| Lester, | Pofford, |
| Lindley, | Ponder, |
| Logan, | Poullain, |
| Long, | Price, |
| Lyle, | Reed, |
| Mabry, of Heard, | Reese, |
| Mallary, | Reynolds, |
| Marshall, | Richardson, of Lee, |
| Martin, of Elbert, | Robinson, |
| Martin, of Lumpkin, | Roddey, |
| Martin, of Merithwether, | Rutherford, |
| McConnell, of Catoosa, | Saffold, |
| McConnell, of Cherokee, | Sharman, |
| McCulloch, | Sharpe, |
| McDaniel, | Sheffield, of Calhoun, |
| McLain, | Sheffield, of Early, |
| Means, | Shropshire, of Chattooga, |
| Milton, | Shropshire, of Floyd, |
| Mitchell, | Slater, |
| Moore, of Bulloch, | Skelton, |
| Moor, of Spalding, | Simmons, of Pickens, |
| Montgomery, | Simms, |
| Morrow, | Singleton, |
| Munnerlyn, | Smith, of DeKalb, |
| Neal, of Columbia, | Smith, of Johnson, |
| Neal, of Talbot, | Smith, of Talbot, |
| Newton, | Solomons, |
| Overstreet, | Spencer, |
| Padget, | Spence, |
| Pariss, | Stapleton, |
| Patterson, | Starr, |
| Patrick, | Stephens, of Monroe, |
| Perkins, | Street, |
| Phinizy, of Monroe, | Strickland, of Forsyth, |
| Phinizy, of Richmond, | Taliaferro, |
| Pierce, | Teasley, |
| Pinson, | Thomas, of Dooly, |
| Pittman, | Thomas, of Whitfield, |
| Poe, | |

Tidwell,
Trippe,
Troup,
Tucker, of Laurens,
Turner, of Hancock,
Turner, of Wilcox,
Varnadoe,
Walton,
Warner,
Waterhouse.
Webb,
Wellborn,
West,
Welchel,
Whitehead,

Wicker,
Willingham,
Williams, of Chattooga,
Williams, of Harris,
Williamson,
Willis,
Winn, of Cobb,
Winn, of Gwinnett,
Wood,
Word,
Wright,
Yates,
Yopp,
Young, of Gordon.

So the motion was lost.

Leave of absence was granted to Messrs. Robertson, of Wilkes, Burnett, of Clay, Ellington, of Quitman, and Buchanan, of Early.

The Convention then adjourned till eleven o'clock tomorrow morning.

TUESDAY, MARCH 12, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Porter.

A quorum being present, the Journal was read.

The President laid upon the table a communication from the Hon. Charles C. Jones, Mayor of the City of

Savannah, and from Col. A. R. Lawton, Commanding at Fort Pulaski, inviting this body to visit that Fort, and advising it that a steamer was provided for that purpose.

The communications on motion of Mr. Whitehead, were taken up and read, when Mr. Alexander, of Upson, offered the following resolution:

Resolved, That this Convention accept the invitations of the City authorities of Savannah, and of Col. Lawton, in command at Fort Pulaski, to visit that Fort, and that the Convention would indicate Thursday next at 9 o'clock A. M. as the time for said visit.

Resolved, That the Secretary of this Convention communicate this acceptance to the City authorities, and to Col. Lawton.

Mr. Fouche offered the following ordinance, which was read:

AN ORDINANCE

To transfer to the Government of the Confederate States of America, the occupancy and use of the Forts and Arsenals in this State, and also to turn over to said Government, the arms and munitions of war, found in said Forts and Arsenals at the time of their occupancy by the authorities of this State, and for other purposes.

SECTION 1. *Be it ordained by the people of Georgia, in Convention assembled*, That the direction and management of all military affairs in this State, looking to the common defence of this State, and the other States

of the Confederate States of America, against any attack upon them, or any of them, by any foreign power, shall be and is hereby transferred to the Government of the Confederate States of America.

SEC. 2. *Be it further ordained*, That the Governor of this State be, and he is hereby authorized and directed to transfer to the Government of the Confederate States of America all arms and munitions of war, acquired from the late United States, in the Forts and Arsenals in this State, together with the possession, occupancy, and use of said Forts and Arsenals and their appurtenances; and he is hereby further authorized to make the same disposition of any arms or munitions of war belonging to this State, muskets, rifles, and other small arms excepted, taking proper vouchers for all the said arms, munitions of war, and other property so transferred.

Messrs. Styles, Spencer, Benning and Hudson, severally laid upon the table amendments to the report of the Committee on Reduction of the General Assembly, which were read.

Mr. Styles laid on the table the following ordinance and resolution, which was read:

AN ORDINANCE

To appropriate money for the use of the Confederate States of America.

SECTION 1. *Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same*, That His Excellency the Gov-

ernor, be and he is hereby authorized and required to tender to the Government of the Confederate States of America, the sum of five hundred thousand dollars to be placed in the Treasury of said Government as a common fund for such purposes as circumstances and the exigencies of the times may demand.

SEC. 2d. *Be it further ordained*, That for the purpose of carrying out the foregoing section, his Excellency be further authorized to issue the bonds of the State in such sums and payable at such time as he shall deem most expedient, bearing seven per centum interest, payable annually.

Resolved, That his Excellency the Governor, be and he is hereby authorized and instructed to furnish side arms to all officers of military companies, who have or may hereafter draw arms from the State.

Mr. Styles offered the following resolution, which was read, and laid on the table:

Resolved, That all the plans for the reduction of the Legislature, be printed and referred to the people, and that we recommend that a Convention be held on the 4th day of July next, to consider the same.

Mr. Warner offered the following resolution, which was taken up, read, and laid on the table:

Resolved, That the various propositions for the reduction of the members of the Legislature, be committed to the Committee with instructions to report the substitute offered by the delegate from Richmond, for the majority report of the Committee.

The regular order of the day, to-wit, the unfinished business of yesterday, being the report of the Committee on Reduction, was taken up, the question being on Mr. Shropshire's (of Floyd) motion, to print 500 copies of the same.

The motion was withdrawn, when Mr. Johnson, of Clayton, offered the following resolution:

Resolved, That the question of reduction of the General Assembly be made the special order for tomorrow, 12 o'clock M., and that 300 copies of the report of the committee, and the substitute to the same, together with all the amendments, be printed for the use of the Convention.

The resolution was read.

The report of the committee was then taken up by sections.

The first section having been read, Mr. Garvin moved to amend the same, by striking out all after the words "*no more*" and inserting the following:

Four from each Senatorial District. There shall be ten districts arranged as follows:

THE FIRST DISTRICT shall be composed of the counties of Appling, Bryan, Bulloch, Chatham, Camden, Charlton, Clinch, Coffee, Effingham, Emanuel, Glynn, Liberty, McIntosh, Montgomery, Pierce, Screven, Telfair, Tatnall, Ware, and Wayne.

THE SECOND DISTRICT shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt,

Dooly, Decatur, Dougherty, Early, Echols, Irwin, Lee, Lowndes, Mitchell, Miller, Randolph, Terrell, Thomas, Wilcox, and Worth.

THE THIRD DISTRICT shall be composed of the counties of Chattahoochee, Harris, Muscogee, Marion, Macon, Quitman, Stewart, Sumter, Schley, Taylor, Talbot, and Webster.

THE FOURTH DISTRICT shall be composed of the counties of Baldwin, Bibb, Crawford, Jones, Jasper, Houston, Laurens, Putnam, Pulaski, Twiggs, and Wilkinson.

THE FIFTH DISTRICT shall be composed of the counties of Burke, Columbia, Glascock, Hancock, Jefferson, Johnson, Lincoln, Richmond, Warren, Wilkes, and Washington.

THE SIXTH DISTRICT shall be composed of the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Newton, Oglethorpe, Taliaferro, and Walton.

THE SEVENTH DISTRICT shall be composed of the counties of Butts, Clayton, Fayette, Henry, Meriwether, Monroe, Pike, Spalding, Troup, and Upson.

THE EIGHTH DISTRICT shall be composed of the counties of Campbell, Carroll, Cobb, Coweta, DeKalb, Fulton, Haralson, Heard, Paulding, and Polk.

THE NINTH DISTRICT shall be composed of the counties of Banks, Cherokee, Dawson, Forsyth, Gwinnett, Habersham, Hall, Jackson, Lumpkin, Milton, Pickens, Rabun, Towns, Union, and White.

THE TENTH DISTRICT shall be composed of the counties of Cass, Catoosa, Chattooga, Dade, Fannin, Floyd, Gordon, Gilmer, Murray, Walker, and Whitfield.

At the first election held under this ordinance, there shall be four Senators elected from each Senatorial District, two of whom shall hold their office for two years, and two for four years, and the first Senators elected for each district shall be divided into two classes by lot, as soon as the Senate shall convene and organize. At every subsequent election which shall be held biennially, each district shall elect two Senators who shall hold their office for four years. After each future enumeration of the inhabitants of the State, made under the laws and Constitution thereof, the General Assembly, at its next session, may re-arrange the foregoing Senatorial Districts, in such manner as will, as nearly as practicable, give to each an equal representative population.

Mr. Clarke offering as an amendment and substitute for both, the following:

The Senate shall consist of forty-four members, and the State shall be divided into twenty-two Senatorial Districts, each of which shall consist of six contiguous counties, to be arranged by the General Assembly, and be entitled to two Senators, both of whom shall not be chosen from any one county. When a new county is organized, it shall, by the General Assembly, be added to some district which it may adjoin, and in such event, such district may consist of more than six counties. If the Act organizing any county shall be repealed, the district which embraced said county, may contain less than six counties.

Mr. Johnson, of Hall, introduced a resolution that the several plans for the reduction of the Legislature, be laid on the table for the present, but before the decision of which, a motion to adjourn was offered and carried; accordingly after granting leave of absence to Mr. Anderson, of Chatham, the Convention adjourned till ten o'clock tomorrow morning.

J

WEDNESDAY, MARCH 13, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Dr. Rosenfield.

A quorum being present the Journal was read.

Mr. Robinson, of Macon, offered the following resolution:

Resolved, That no delegate of the Convention shall be allowed to draw his *per diem* pay for the day the Convention visits Fort Pulaski.

The resolution was read.

On motion of Mr. Fouche, the Ordinance introduced by him on yesterday, "To transfer to the Government of the Confederate States of America the occupancy and use of the Forts and Arsenals in this State, and also to turn over to said Government the arms and munitions of war found in said Forts and Arsenals at the time of their occupancy by the authorities of this State, and for other purposes," was referred to the Committee on Military Affairs.

Mr. Tidwell, from the Special Committee of seven, made the following

REPORT:

The Special Committee to whom was referred the original resolutions, together with the several amendments, tendering the thanks of the Convention to the President and Directors of the Central and other railroad companies, and also to the city authorities of Savannah, for their kindness and liberality to the Convention, beg leave to offer for the consideration of the Convention, the following resolutions, as a substitute, and in lieu of said original and amendments:

Resolved, That the thanks of this Convention are due and hereby tendered to the Presidents and Directors of the Central, Southwestern, Savannah & Augusta, Atlantic & Gulf, and the Savannah, Albany & Gulf Railroads, for their kindness and liberality in passing all the delegates and officers of this Convention who traveled over their respective roads, free of charge, and to the officers of the Savannah, Albany & Gulf and Atlantic & Gulf Railroad, for their liberality in returning delegates, free of charge, from the late session of this Convention at Milledgeville; also, to the Mayor and Aldermen of the City of Savannah, for furnishing the Convention, free of charge, with a large and comfortable hall.

Your committee cannot, although not specially charged with the duty, withhold an expression of their gratitude to the officers of those railroads who have so generously and patriotically passed recruits to the army over their roads *free of charge*, or for a mere nominal sum. Such

acts of patriotism extended to those who make a voluntary tender of their services and offer their lives, (if necessary), in defence of an insulted, injured, and oppressed people—should have a place in the history of the country, as well as entitle such companies to the confidence and support of a generous people.

Resolved, That the Presidents, Directors and Superintendents of said railroads, together with the Mayor and Aldermen of the City of Savannah, be, and they are hereby invited to seats in this Convention, when not in secret session.

Resolved, That the Secretary give notice of these resolutions to the Presidents of said roads, and the Mayor of the City.

On motion of Mr. Tidwell, the rule was suspended, and the report was taken up, read, and adopted.

The President laid on the table a telegraphic dispatch from the Hon. Howell Cobb, President of the Congress of the Confederate States of America, dated at Montgomery, the 12th instant, in which he advised the President of this Convention, that he had mailed to him a copy of the Constitution; which was taken up and read.

On motion of Mr. Reese, the rule was suspended, when he introduced the following resolution, which was taken up, read, and adopted.

Resolved, That the Committee on Printing be, and they are hereby instructed, so soon as an authenticated copy of the permanent Constitution adopted by the Congress at Montgomery, shall be received by the President

of this Convention, to have 500 copies of the same printed for the use of the Convention.

The resolution of Mr. Johnson, of Hall, to lay all matters in relation to reduction, on the table, being first in order, was taken up and the resolution was lost.

The amendment of Mr. Clarke to Mr. Garvin's amendment of the first section of the Ordinance reported by the Committee on Reduction, and substitute for both the amendment and the original, being next in order, was taken up.

Mr. Clarke moved for a division of the subject matter of his amendment and substitute, to-wit: to strike out for the present in his proposition, the words "to be arranged by the General Assembly," and to consider first the remainder of his amendment.

The motion to "strike out" and divide prevailed.

Mr. Chastain moved to strike out "twenty-two"—the number of Senatorial Districts proposed—and insert "forty-four."

Mr. Stapleton moved to divide that motion—first to put the question upon striking out; and second, upon inserting.

The motion prevailed.

And the motion to "strike out" twenty-two, the number of Senatorial Districts, also prevailed.

Mr. Chastain moved to fill the blank with "forty-four" as the number of Senatorial Districts.

The motion prevailed.

The amendment and substitute was further amended by striking out the word "six," wherever it occurred, and inserting "three;" also to strike out "two Senators," and insert "one Senator."

The question then came up on the adoption of the amendment and substitute, when the yeas and nays were demanded to be recorded.

There are yeas 173, nays 100, to-wit:

Those who voted in the affirmative are, Messrs.:

| | |
|----------------------|--------------------------|
| Adams, of Camden, | Chastain, |
| Alexander, of Upson, | Cheshier, |
| Algood, | Clarke, |
| Allen, | Cleveland, |
| Banks, | Cochran, of Terrell, |
| Bartow, | Cochran, of Wilkinson, |
| Beasley, | Coleman, |
| Bell, of Banks, | Colquitt, |
| Black, | Corn, |
| Bowen, | Cox, |
| Bozeman, | Daniel, |
| Brewton, | Davis, of Chattahoochee, |
| Briggs, | Davenport, of Clay, |
| Briscoe, | Davenport, of Sumter, |
| Brown, of Houston, | Day, |
| Brown, of Webster, | Dennis, |
| Bryan, | Deupree, |
| Bush, | Douglass, |
| Butts, | Dozier, |
| Cannon, of Rabun, | Fain, |
| Cannon, of Wayne, | Farnsworth, |
| Carson, | Fleming, |
| Carswell, | Flewellen, |

Fields,
Fitzpatrick,
Ford,
Fort, of Stewart,
Fort, of Wayne,
Frier,
French,
Furlow,
Gaulden,
Gardner,
Gee,
Gholston,
Giles,
Gordon,
Gunn,
Hale,
Hall,
Hammond,
Hansell,
Harvill,
Harris, of Glynn,
Harris, of McIntosh,
Hawkins,
Henderson,
Hendry,
Hendricks,
Herrington,
Hill, of Hart,
Hilliard,
Hines,
Hoyal,
Hood,
Howell,
Hudson, of Gwinnett,
Huggins,
Hust,
Jackson,
Johnson, of Clayton,
Johnson, of Jefferson,

Jones, of Chatham,
Jordan,
Kimsey,
Kirkland,
Lamb,
Lattimer, of Appling,
Lattimer, of Montgomery,
Lester,
Logue,
Lyle,
Mabry, of Berrien,
Mallery,
Marshall,
Martin, of Elbert,
McConnell, of Catoosa,
McConnell, of Cherokee,
McCulloch,
McDonald,
McGriff,
McLain,
McLeod,
McRae,
Mershon,
Milton,
Mitchell,
Moore, of Bulloch,
Morrow,
Mounger,
Munnerlyn,
Overstreet,
Padget,
Paris,
Patterson,
Pickett,
Pitts,
Pofford,
Ponder,
Porter,
Prescott,

| | |
|------------------------|-------------------------|
| Price, | Strickland, of Tatnall, |
| Pruett, | Styles, |
| Ramsey, of Clinch, | Taliaferro, |
| Reed, | Teasley, |
| Richardson, of Lee, | Thomas, of Dooly, |
| Richardson, of Twiggs, | Tillman, |
| Robinson, | Tomlinson, |
| Roddey, | Troup, |
| Rutherford, | Tucker, of Colquitt, |
| Sheffield, of Calhoun, | Tucker, of Laurens, |
| Sheffield, of Early, | Turner, of Wilcox, |
| Slater, | Usry, |
| Skelton, | Webb, |
| Simmons, of Pickens, | Wellborn, |
| Simms, | West, |
| Sirmons, | Welchel, |
| Sisk, | Whitehead, |
| Smith, of Charlton, | Williams, of McIntosh, |
| Smith, of Johnson, | Williamson, |
| Smith, of Talbot, | Winn, of Cobb, |
| Solomons, | Winn, of Gwinnett, |
| Spencer, | Yates, |
| Stapleton, | Yopp, |
| Stephens, of Monroe, | Young, of Irwin. |
| Stephens, of Pierce, | |

Those who voted in the negative are, Messrs.:

| | |
|-----------------------|------------------------|
| Adams, of Putnam, | Collins, |
| Alexander, of Fulton, | Crawford, of Greene, |
| Arnold, | Crawford, of Richmond, |
| Bell, of Forsyth, | Dabney, |
| Beall, of Troup, | Davis, of Putnam, |
| Benning, | Dewberry, |
| Brown, of Marion, | Dickerson, |
| Burch, | Fouche, |
| Byrd, | Freeman, |
| Calhoun, | Garvin, |
| Casey, | Glenn, of Fulton, |

| | |
|-------------------------|---------------------------|
| Glenn, of Oglethorpe, | Newton, |
| Glover, | Patrick, |
| Graham, | Phinizy, of Monroe, |
| Gray, | Phinizy, of Richmond, |
| Gresham, | Pierce, |
| Haines, | Pinson, |
| Hamilton, | Pittman, |
| Hargroves, | Poe, |
| Harris, of Hancock, | Poullain, |
| Harris, of Meriwether, | Ramsey, of Muscogee, |
| Harvey, | Reese, |
| Head, | Reynolds, |
| Hill, of Troup, | Rice, |
| Hudson, of Harris, | Sharmon, |
| Hull, | Sharpe, |
| Jennings, | Shell, |
| Johnson, of Hall, | Shropshire, of Chattooga, |
| Johnson, of Oglethorpe, | Shropshire, of Floyd, |
| Jones, of Burke, | Singleton, |
| Kenan, | Spence, |
| Ketchum, | Starr, |
| Killgore, | Stephens, of Hancock, |
| Knox, | Street, |
| Lamar, of Lincoln, | Strickland, of Forsyth, |
| Lamar, of Bibb, | Thomas, of Whitfield, |
| Low, | Tidwell, |
| Lindley, | Trippe, |
| Logan, | Turner, of Hancock, |
| Long, | Walton, |
| Mabry, of Heard, | Warner, |
| Manson, | Wicker, |
| Martin, of Lumpkin, | Willingham, |
| Martin, of Meriwether, | Williams, of Chattooga, |
| McDaniel, | Williams, of Harris, |
| Means, | Willis, |
| Moor, of Spalding, | Wood, |
| Montgomery, | Word, |
| Neil, of Columbia, | Wright, |
| Neil, of Talbot, | Young, of Gordon. |

So the amendment and substitute, as amended, to-wit: "The Senate shall consist of forty-four members, and the State shall be divided into forty-four Senatorial Districts, each of which shall consist of three contiguous counties, and shall be entitled to one Senator; when a new county is organized, it shall, by the General Assembly, be added to some District which it may adjoin, and, in such event, such District may consist of more than three counties; if the Act organizing any county shall be repealed, the District which embraced said county, may contain less than three counties," was adopted in lieu of the original and the substitute of Mr. Garvin.

Mr. Roddey moved that the Senatorial Districts be arranged and organized by a committee of this Convention, when Mr. Styles offered the following resolution, which was accepted by Mr. Roddey, in lieu of his motion, to-wit:

Resolved, That the substitute just passed be referred to a committee of twenty-four, three from each Congressional District, who shall arrange the Districts, and report by ordinance, in accordance therewith.

The resolution was adopted.

Mr. Styles offered the following resolution:

Resolved, That the subject of reducing the House of Representatives and all ordinances thereto relating, be laid upon the table.

The resolution was read. He then moved to take up the same, which motion was lost.

On motion of Mr. Alexander, of Fulton, the Convention then adjourned till eleven o'clock Friday morning.

FRIDAY, MARCH 15, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Axson.

A quorum being present, the Journal was read, when Mr. Hill, of Troup, moved to reconsider so much of the proceedings of yesterday as relates to the ordinance reported by the Committee on the Reduction of the General Assembly.

The motion to reconsider was lost.

A message was received from his Excellency the Governor, through Mr. Waters, his Secretary, which, on motion of Mr. Bartow, was laid on the table until the Convention convened in secret session.

The President laid on the table the following communications:

1st. A communication from the Hon. Howell Cobb, President of the Congress of the Confederate States of America, enclosing a certified copy of the "Constitution of the Confederate States of America," adopted March 11, 1861, to-wit: (which said communication was ordered to be placed in the appendix of the Journal of this Convention).

CONSTITUTION
OF THE
CONFEDERATE STATES OF AMERICA.

We, the people of the Confederate States, each State acting in its sovereign and independent character, in order to form a permanent Federal Government, establish justice, insure domestic tranquility and secure the blessings of liberty to ourselves and our posterity, invoking the favor and guidance of Almighty God—do ordain and establish this Constitution for the Confederate States of America.

ARTICLE I.

SECTION 1.

All legislative powers herein delegated shall be vested in a Congress of the Confederate States, which shall consist of a Senate and House of Representatives.

SECTION 2.

1. The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall be citizens of the Confederate States, and have the qualifications requisite for electors for the most numerous branch of the State Legislature; but no person of foreign birth, not a citizen of the Confederate States, shall be allowed to vote for any officer, civil or political, State or Federal.

2. No person shall be a Representative, who shall not have attained the age of twenty-five years, and be a

citizen of the Confederate States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and Direct Taxes shall be apportioned among the several States, which may be included within this Confederacy, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all slaves. The actual enumeration shall be made within three years after the first meeting of the Congress of the Confederate States, and within every subsequent term of ten years, in such manner as they shall, by law, direct. The number of Representatives shall not exceed one for every fifty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of South Carolina shall be entitled to choose six—the State of Georgia ten—the State of Alabama nine—the State of Florida two—the State of Mississippi seven—the State of Louisiana six, and the State of Texas six.

4. When vacancies happen in the representation from any State, the Executive authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment; except that any judicial or other Federal officer, resident and acting solely within the limits of any State, may be impeached by a vote of two-thirds of both branches of the Legislature thereof.

SECTION 3.

1. The Senate of the Confederate States shall be composed of two Senators from each State, chosen for six years by the Legislature thereof, at the regular session next immediately preceding the commencement of the term of service; and each Senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year; of the second class at the expiration of the fourth year; and the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained the age of thirty years, and be a citizen of the Confederate States, and who shall not, when elected, be an inhabitant of the State for which he shall be chosen.

4. The Vice-President of the Confederate States shall be the President of the Senate, but shall have no vote unless they be equally divided.

5. The Senate shall choose their other officers, and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President of the Confederate States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the Confederate States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence in two-thirds of the members present.

7. Judgment, in cases of impeachment, shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the Confederate States; but the party convicted shall nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION 4.

1. The times, places and manner of holding elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof, subject to the provisions of this Constitution; but the Congress may, at any time, make or alter such regulations, except as to the times and places of choosing Senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall, by law, appoint a different day.

SECTION 5.

1. Each House shall be judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent mem-

bers, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds of the whole number, expel a member.

3. Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy; and the yeas and nays of the members of either House, on any question, shall, at the desire of one-fifth of those present, be entered on the Journal.

4. Neither House, during the session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION 6.

1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederate States. They shall, in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the Confederate States,

which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the Confederate States shall be a member of either House during his continuance in office. But Congress may, by law, grant to the principal officer in each of the Executive Departments a seat upon the floor of either House, with the privilege of discussing any measures appertaining to his department.

SECTION 7.

1. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed both Houses, shall, before it becomes a law, be presented to the President of the Confederate States; if he approve he shall sign it; but if not, he shall return it with his objections to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had

signed it, unless the Congress by their adjournment, prevent its return, in which case it shall not be a law.

The President may approve any appropriation and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill designate the appropriations disapproved; and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated; and the same proceedings shall then be had as in case of other bills disapproved by the President.

3. Every order, resolution or vote, to which the concurrence of both Houses may be necessary (except on question of adjournment) shall be presented to the President of the Confederate States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be re-passed by two-thirds of both Houses according to the rules and limitations prescribed in case of a bill.

SECTION 8.

The Congress shall have power—

1. To lay and collect taxes, duties, imposts, and excises, for revenue necessary to pay the debts, provide for the common defence, and carry on the Government of the Confederate States; but no bounties shall be granted from the treasury; nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry; and all duties, imposts, and excises shall be uniform throughout the Confederate States.

2. To borrow money on the credit of the Confederate States.

3. To regulate commerce with foreign nations, and among the several States, and with the Indian tribes; but neither this, nor any other clause contained in the Constitution, shall ever be construed to delegate the power to Congress to appropriate money to any internal improvement intended to facilitate commerce, except for the purpose of furnishing lights, beacons and buoys, and other aids to navigation upon the coasts, and the improvements of harbors and the removing of obstructions in river navigation, in all which cases, such duties shall be laid on the navigation facilitated thereby, as may be necessary to pay the costs and expenses thereof.

4. To establish uniform laws of naturalization, and uniform laws on the subject of bankruptcies, throughout the Confederate States, but no law of Congress shall discharge any debt contracted before the passage of the same.

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederate States.

7. To establish post offices and post routes, but the expenses of the post office department, after the first day of March, in the year of our Lord one thousand eight hundred and sixty-three, shall be paid out of its own revenues.

8. To promote the progress of science and useful arts, by securing for a limited time to authors and in-

ventors the exclusive right to their respective writings and discoveries.

9. To constitute tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the laws of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

12. To raise and support armies; but no appropriation of money to that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the militia to execute the laws of the Confederate States, suppress insurrections, and repel invasions.

16. To provide for organizing, arming, and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of one or more States and

the acceptance of Congress, become the seat of the Government of the Confederate States; and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock yards, and other needful buildings; and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the Confederate States, or in any department or officer thereof.

SECTION 9.

1. The importation of negroes of the African race, from any foreign country, other than the slave-holding States or Territories of the United States of America is hereby forbidden; and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to this Confederacy.

3. The privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

4. No bill of attainder, *ex post facto* law, or law denying or impairing the right of property in negro slaves shall be passed.

5. No capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

6. No tax or duty shall be laid on articles exported from any State, except by a vote of two-thirds of both Houses.

7. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

8. No money shall be drawn from the treasury, but in consequence of appropriations made by law, and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

9. Congress shall appropriate no money from the treasury except by a vote of two-thirds of both Houses, taken by yeas and nays, unless it be asked and estimated for by some one of the heads of Department, and submitted to Congress by the President; or for the purpose of paying its own expenses and contingencies; or for the payment of claims against the Confederate States, the justice of which shall have been judicially declared by a tribunal for the investigation of claims against the government, which it is hereby made the duty of Congress to establish.

10. All bills appropriating money shall specify in Federal currency the exact amount of each appropriation and the purpose for which it is made; and Congress shall grant no extra compensation to any public contractor, officer, agent or servant, after such contract shall have been made or such service rendered.

11. No title of nobility shall be granted by the Confederate States; and no person holding any office of profit

or trust under them, shall, without the consent of the Congress, accept any present, emolument, office or title of any kind whatever from any king, prince or foreign State.

12. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble and petition the government for a redress of grievances.

13. A well regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

14. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

15. The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized.

16. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grant jury, except in cases arising in the land or naval forces, or in the militia, when in actual service, in time of war or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property, without due process of law;

nor shall private property be taken for public use, without just compensation.

17. In all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor; and to have the assistance of counsel for his defence.

18. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved; and no fact so tried by a jury shall be otherwise re-examined in any court of the Confederacy, than according to the rules of the common law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

20. Every law or resolution having the force of law, shall relate to but one subject, and that shall be expressed in the title.

SECTION 10.

1. No State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal, coin money; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts; or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the Confederate States; and all such laws shall be subject to the revision and control of Congress.

3. No State shall, without the consent of Congress, lay any duty on tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels; but such duties shall not conflict with any treaties of the Confederate States with foreign nations; and any surplus revenue, thus derived, shall, after making such improvement, be paid into the common treasury. Nor shall any State keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay. But when any river divides or flows through two or more States, they may enter into compacts with each other to improve the navigation thereof.

ARTICLE II.

SECTION 1.

1. The Executive power shall be vested in a President of the Confederate States of America. He and the Vice-President shall hold their offices for the term of six years; but the President shall not be re-eligible. The President and Vice-President shall be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the Confederate States, shall be appointed an elector.

3. The electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the seat of Government of the Confederate States, directed to the President of the Senate; the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted; the person having the greatest number of votes for President shall be the President, if such member be a majority of the whole number of electors appointed; and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States,

and the majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death, or other Constitutional disability of the President.

4. The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of electors appointed; and if no person have a majority, then, from the two highest numbers on the list the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

5. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the Confederate States.

6. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the Confederate States.

7. No person except a natural born citizen of the Confederate States, or a citizen thereof, at the time of the adoption of this Constitution, or a citizen thereof born in the United States prior to the 20th December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been four-

teen years a resident within the limits of the Confederate States, as they may exist at the time of his election.

8. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice-President; and the Congress may, by law, provide for the case of removal, death, resignation, or inability both of the President and Vice-President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

9. The President shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished during the period for which he shall have been elected; and he shall not receive within that period any other emolument from the Confederate States, or any of them.

10. Before he enters on the execution of his office, he shall take the following oath or affirmation:

“I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States, and will to the best of my ability, preserve, protect, and defend the Constitution thereof.”

SECTION 2.

1. The President shall be commander-in-chief of the army and navy of the Confederate States; and of the militia of the several States, when called into the actual service of the Confederate States; he may require the opinion, in writing, of the principal officer in each of the

Executive Departments, upon any subject relating to the duties of their respective offices; and he shall have the power to grant reprieves and pardons for offences against the Confederate States, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the Confederate States, whose appointments are not herein otherwise provided for, and which shall be established by law; but the Congress may, by law, vest the appointment of such inferior officers, as they may think proper, in the President alone, in the courts of law or in the heads of Departments.

3. The principal officer in each of the Executive Departments, and all persons connected with the diplomatic service, may be removed from office at the pleasure of the President. All other civil officers of the Executive Department may be removed at any time by the President, or other appointing power, when their services are necessary, or for dishonesty, incapacity, inefficiency, misconduct, or neglect of duty; and when so removed, the removal shall be reported to the Senate, together with the reasons therefor.

4. The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session; but no person rejected by the Senate

shall be re-appointed to the same office during their ensuing recess.

SECTION 3.

1. The President shall, from time to time, give to the Congress information as to the State of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient; he may, on extraordinary occasions, convene both Houses, or either of them; and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper; he shall receive ambassadors and other public ministers; he shall take care that the laws be faithfully executed, and commission all officers of the Confederate States.

SECTION 4.

1. The President, Vice-President, and all civil officers of the Confederate States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

ARTICLE III.

SECTION 1.

1. The judicial power of the Confederate States shall be vested in one Supreme Court, and in such Inferior Courts as the Congress may from time to time ordain and establish. The judges, both of the Supreme and Inferior Courts, shall hold their offices during good behavior, and shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.

SECTION 2.

1. The judicial power shall extend to all cases arising under this Constitution, the laws of the Confederate States, and treaties made or which shall be made under their authority; to all cases affecting ambassadors, other public ministers and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the Confederate States shall be a party; to controversies between two or more States; between a State and a citizen of another State where the State is plaintiff; between citizens claiming lands under grants of different States, and between a State or a citizen thereof and foreign States, citizens or subjects; but no State shall be sued by a citizen or subject of any foreign State.

2. In all cases affecting ambassadors, other public ministers, and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by jury, and such trial shall be held in the State where the said crimes shall have been committed; but when not committed within any State the trial shall be at such place or places as the Congress may, by law, have directed.

SECTION 3.

1. Treason against the Confederate States shall consist only in levying war against them, or in adhering to their enemies, giving them aid and comfort. No person

shall be convicted of treason unless on the testimony of two witnesses to the same overt act or on confession in open court.

2. The Congress shall have power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

ARTICLE IV.

SECTION 1.

1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State. And the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECTION 2.

1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States, and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property; and the right of property in said slaves shall not be thereby impaired.

2. A person charged in any State with treason, felony, or other crime against the laws of such State, who shall flee from justice, and be found in another State, shall, on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No slave or other person held to service or labor in any State or territory of the Confederate States, under the laws thereof, escaping or lawfully carried into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such slave belongs, or to whom such service or labor may be due.

SECTION 3.

1. Other States may be admitted into this Confederacy by a vote of two-thirds of the whole House of Representatives, and two-thirds of the Senate, the Senate voting by States; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislature of the States concerned as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations concerning the property of the Confederate States, including the lands thereof.

3. The Confederate States may acquire new territory; and Congress shall power to legislate and provide governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States; and may permit them, at such times, and in such manner as it may by law provide, to form States to be admitted into the Confederacy. In all such territory, the institution of negro slavery as it now exists in the Confederate States, shall be recognized and protected

by Congress, and by the territorial government; and the inhabitants of the several Confederate States and Territories shall have the right to take to such Territory any slaves lawfully held by them in any of the States or Territories of the Confederate States.

4. The Confederate States shall guaranty to every State that now is, or hereafter may become, a member of this Confederacy, a republican form of government, and shall protect each of them against invasion; and on application of the Legislature (or of the Executive when the Legislature is not in session) against domestic violence.

ARTICLE V.

SECTION 1.

1. Upon demand of any three States, legally assembled in their several Conventions, the Congress shall summon a Convention of all the States, to take into consideration such amendments to the Constitution as the said States shall concur in suggesting at the time when the said demand is made; and should any of the proposed amendments to the Constitution be agreed on by the said Convention—voting by States—and the same be ratified by the Legislatures of two-thirds of the several States, or by Conventions in two-thirds thereof—as the one or other mode of ratification may be proposed by the general Convention—they shall thenceforward form a part of this Constitution. But no State shall, without its consent, be deprived of its equal representation in the Senate.

ARTICLE VI.

1. The Government established by this Constitution

is the successor of the Provisional Government of the Confederate States of America, and all the laws passed by the latter shall continue in force till the same shall be repealed or modified; and all the officers appointed by the same shall remain in office until their successors are appointed and qualified, or the offices abolished.

2. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the Confederate States under this Constitution as under the Provisional Government.

3. This Constitution, and the laws of the Confederate States, made in pursuance thereof, and all treaties made, or which shall be made under the authority of the Confederate States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

4. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all Executive and judicial officers, both of the Confederate States, and of the several States, shall be bound by oath or affirmation, to support this Constitution: but no religious test shall ever be required as a test for qualification to any office or public trust under the Confederate States.

5. The enumeration, in the Constitution of certain rights, shall not be construed to deny or disparage others retained by the people of the several States.

6. The powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the

States, are reserved to the States respectively, or to the people thereof.

ARTICLE VII.

1. The ratification of the Conventions of five States shall be sufficient for the establishment of this Constitution between the States so ratifying the same.

2. When five States shall have ratified this Constitution, in the manner before specified, the Congress under the Provisional Constitution, shall prescribe the time for holding the election of President and Vice-President, and for the meeting of the Electoral College, and for counting the votes and inaugurating the President. They shall, also, prescribe the time for holding the first election of members of Congress under this Constitution, and the time for assembling the same. Until the assembling of such Congress, the Congress under the Provisional Constitution shall continue to exercise the legislative powers granted them, not extending beyond the time limited by the Constitution of the Provisional Government.

EXTRACTS FROM THE JOURNAL OF THE CONGRESS.

CONGRESS, March 11, 1861.

On the question of the adoption of the Constitution of the Confederate States of America, the vote was taken by yeas and nays; and the Constitution was unanimously adopted, as follows:

Those who voted in the affirmative, being, Messrs. Walker, Smith, Curry, Hale, McRae, Shorter and Fearn,

of Alabama, (Messrs. Chilton and Lewis being absent); Messrs. Morton, Anderson and Owens, of Florida; Messrs. Toombs, Howell Cobb, Bartow, Nisbet, Hill, Wright, Thomas R. R. Cobb and Stephens, of Georgia, (Messrs. Crawford and Kenan being absent); Messrs. Perkins deClouet, Conrad, Keener, Sparrow and Marshall, of Louisiana; Messrs. Harris, Brooke, Wilson, Clayton, Barry and Harrison, of Mississippi, (Mr. Campbell being absent); Messrs. Rhett, Barnwell, Keitt, Chestnut, Memminger, Miles, Withers and Boyce, of South Carolina; Messrs. Reagan, Hemphill, Waul, Gregg, Oldham and Ochiltree, of Texas, (Mr. Wigfall being absent.)

A true copy:

J. J. HOOPER,

Secretary of the Congress.

CONGRESS, March 11, 1861.

I do hereby certify that the foregoing are, respectively, true and correct copies of "The Constitution of the Confederate States of America," unanimously adopted this day, and of the yeas and nays, on the question of the adoption thereof.

HOWELL COBB,

President of the Congress.

2d. A communication from Wm. J. Vason, Esq., Commissioner from Georgia to the State of Louisiana, with accompanying documents.

3d. A communication from Samuel Hall, Esq., Com-

missioner from Georgia to the State of North Carolina, accompanying document.

4th. A communication from A. R. Wright, Esq., Commissioner from Georgia to the State of Maryland.

All of which (Mr. Hull being in the chair) were taken up, read, and ordered to be recorded in the appendix to the Journal.

Mr. Nisbet offered the following resolution, which was taken up, read, and adopted:

Resolved, That the Constitution of the Confederate States of America, be the order of the day for tomorrow at 10 o'clock a. m.

Mr. Hawkins offered the following resolution, which was read:

Resolved, That a Committee of sixteen, two from each Congressional District as now organized, be appointed to arrange ten Congressional Districts for the State upon the basis of the new Constitution, and report at the earliest practicable time.

The President announced the following as the Committee of twenty-four, three from each Congressional District, to apportion the Senatorial Districts, and report an Ordinance in accordance therewith, to-wit:

MR. RODDEY, Chairman;

3d District.

1st district—

MESSRS. VARNADOE,
GAULDEN,
YOPP.

2d district—

MESSRS. CLARKE,
FURLOW,
DOZIER.

3d district—

MESSRS. LONG,
LAMAR, of Bibb.

4th district—

MESSRS. TIDWELL,
HOYLE,
BEASLEY.

5th district—

MESSRS. SHROPSHIRE, of Floyd.
CHASTAIN,
DABNEY.

6th district—

MESSRS. HULL,
MARTIN, of Lumpkin;
McDANIEL.

7th district—

MESSRS. BRISCOE,
REESE,
FITZPATRICK.

8th district—

MESSRS. SINGLETON,
NEAL, of Columbia;
JOHNSON, of Oglethorpe.

Mr. Logan offered the following resolution, which was taken up, read, and adopted.

Resolved, That the Committee on the “Constitution and Laws of this State, and the Constitution of the United States” be instructed to inquire into the propriety of reporting an Ordinance to this Convention consenting to the location of the permanent capitol of the Confederate States of America within the State of Georgia, and granting limited jurisdiction over such portion of territory as may be necessary for that purpose.

Mr. Poe offered the following resolution, which was taken up, read, and referred to the Committee on the “Constitution and Laws of this State, and the Constitution of the United States,” to-wit:

Resolved, That when any case shall be called for trial in any of the Courts of this State, if it shall be made to appear that either party is unprepared to proceed to trial by reason of said party or his counsel being, or having been engaged in the military service of this State, or of any of the States of this Confederacy, then, and in that case, it shall be the duty of the presiding Judge, or Justices, to continue said case generally.

Leave of absence was granted to Messrs. Flewellen, Strother, Turner, of Hancock; Patterson, Giles, Beck, Moore, of Bulloch, and Dennis.

On motion of Mr. Varnadoe, the Convention then went into secret session, and having spent some time therein, it adjourned till ten o'clock tomorrow morning.

SATURDAY, MARCH 16, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Baker.

A quorum being present, the journal was read.

On motion of Mr. Nisbet, the doors were closed, and the Convention went into secret session.

On motion of Mr. Stephens, of Taliaferro, the Constitution adopted unanimously by the Congress of the Confederate States of America, at Montgomery, March 11, 1861, and submitted to this Convention of the people of Georgia for ratification, was taken up and read.

Mr. Alexander, of Upson, offered the following resolution:

Resolved, That the Constitution adopted by the Congress at Montgomery on the 11th day of March, 1861, for the permanent government of the Confederate States of America be referred to a Committee of seven, with instructions to frame and report, during this morning's session, an Ordinance to accept and ratify the same for State of Georgia.

The resolution was taken up, read and adopted.

The President announced the following as the Committee of seven under the foregoing resolution, to-wit:

MESSRS. ALEXANDER, of Upson;
FLEMING,
RICE,
CRAWFORD, of Greene;
WARNER,
CLARKE, and
REESE.

Mr. Clarke offered the following resolution, which was taken up, read, and adopted:

Resolved, That a Committee of three be appointed by the President to report to this body the number of Journals of the proceedings of this Convention to be published for distribution, together with the manner of printing and binding; and to report, also, upon the compensation to be allowed the Secretary and his assistant for their services.

Whereupon the President announced the following as the Committee under the foregoing resolution, to-wit:

MESSRS. CLARKE,
BARTOW, and
CHASTAIN.

Mr. Carswell, from the Committee on Accounts, offered the following resolution, which was taken up and read:

Resolved, That the members of this Convention be

allowed mileage to and from this Convention at its second session, the distance to be computed to Milledgeville.

Mr. Martin, of Lumpkin, offered the following as a substitute therefor:

Resolved, That the State Treasurer be instructed to settle with the delegates of this Convention their *per diem* pay and mileage from their residences, the most direct route to and from Savannah, for the second session of this Convention.

Mr. Styles moved the “previous question,” which being seconded and sustained, the main question, to-wit, the adoption of Mr. Carswell’s resolution, was put, when the yeas and nays were demanded to be recorded.

The ayes were 150, nays 106, to-wit:

Those who voted in the affirmative are, Messrs.:

| | |
|-----------------------|--------------------------|
| Alexander, of Fulton; | Carswell, |
| Arnold, | Chastain, |
| Burch, | Cheshier, |
| Beall, of Banks; | Cleveland, |
| Bell, of Forsyth; | Cochran, of Terrell; |
| Beall, of Troup; | Coleman, |
| Blalock, | Collins, |
| Bowen, | Corn, |
| Brown, of Houston; | Cox, |
| Bush, | Davis, of Chattahoochee, |
| Butts, | Davenport, of Sumter, |
| Byrd, | Day, |
| Cannon, of Rabun; | Deupree, |
| Cannon, of Wayne; | Dewberry, |
| Cantrell, | Dickerson, |

Fain,
Farnsworth,
Fitzpatrick,
Ford,
Fort, of Wayne,
Fouche,
Freeman,
French,
Garvin,
Glenn, of Oglethorpe,
Glover,
Gordon,
Graham,
Hall,
Haines,
Hamilton,
Hammond,
Hargroves,
Harris, of Glynn;
Harris, of McIntosh;
Harris, of Meriwether;
Hawkins,
Head,
Henderson,
Hendricks,
Hill, of Hart;
Hoyal,
Howell,
Hudson, of Gwinnett;
Huggins,
Hust,
Jackson,
Johnson, of Clayton;
Johnson, of Hall;
Johnson, of Jefferson;
Jones, of Burke;
Ketchum,
Kimsey,
Kirkland,

Lamar, of Lincoln,
Lamb,
Lattimer, of Appling;
Lattimer, of Montgomery;
Low,
Long,
Mabry, of Berrien;
Manson,
Martin, of Elbert;
Martin, of Lumpkin;
Martin, of Meriwether;
McConnell, of Catoosa;
McCulloch,
McLain,
McLeod,
Mershon,
Milton,
Moor, of Spalding;
Mounger,
Munnerlyn,
Neal, of Columbia;
Newton,
Nisbet,
Overstreet,
Padget,
Patrick,
Perkins,
Phinizy, of Monroe,
Pickett,
Pierce,
Pinson,
Pofford,
Prescott,
Price,
Pruett,
Ramsey, of Clinch;
Ramsey, of Muscogee;
Reed,
Richardson, of Lee,

| | |
|------------------------|-------------------------|
| Roddey, | Tillman, |
| Rutherford, | Tomlinson, |
| Sheffield, of Calhoun; | Troup, |
| Shell, | Tucker, of Colquitt; |
| Skelton, | Tucker, of Laurens; |
| Simmons, of Pickens; | Turner, of Wilcox; |
| Singleton, | Walton, |
| Sirmons, | Waterhouse, |
| Sisk, | Webb, |
| Smith, of Charlton; | Wellborn, |
| Smith, of DeKalb; | West, |
| Smith, of Johnson; | Whelchel, |
| Stapleton, | Wicker, |
| Starr, | Williams, of Chattooga; |
| Stephens, of Hancock; | Williams, of McIntosh; |
| Stephens, of Monroe; | Williamson, |
| Stephens, of Pierce; | Wood, |
| Street, | Wright, |
| Styles, | Yates, |
| Taliaferro, | Young, of Gordon; |
| Tidwell, | Young, of Irwin. |

Those who voted in the negative are, Messrs.:

| | |
|--------------------|------------------------|
| Adams, of Camden; | Carson, |
| Adams, of Putnam; | Casey, |
| Algood, | Clarke, |
| Banks, | Cochran, of Wilkinson; |
| Beasley, | Cobb, |
| Benning, | Cody, |
| Black, | Colquitt, |
| Brewton, | Crawford, of Richmond; |
| Briscoe, | Dabney, |
| Brown, of Marion; | Daniel, |
| Brown, of Webster; | Davis, of Putnam; |
| Buchanan, | Davenport, of Clay; |
| Bullard, | Douglass; |
| Burnett, | Dozier, |
| Calhoun, | Ellington, |

| | |
|-------------------------|--------------------------|
| Fields, | Mitchell, |
| Fort, of Stewart; | Montgomery, |
| Frier, | Neal, of Talbot; |
| Furlow, | Paris, |
| Gardner, | Phinzy, of Richmond; |
| Gee, | Pittman, |
| Gholston, | Poe, |
| Glenn, of Fulton; | Ponder, |
| Gray, | Porter, |
| Gunn, | Poullain, |
| Hale, | Reynolds, |
| Harvill, | Rice, |
| Harris, of Hancock; | Robinson, |
| Harvey, | Sharman, |
| Hendry, | Sharpe, |
| Herrington, | Sheffield, of Early; |
| Hilliard, | Shropshire, of Floyd; |
| Hood, | Slater, |
| Hudson, of Harris; | Simms, |
| Hull, | Smith, of Talbot; |
| Jennings, | Solomons, |
| Johnson, of Oglethorpe; | Spence, |
| Jones, of Chatham; | Stephens, of Taliaferro; |
| Jordan, | Strickland, of Forsyth; |
| Kenan, | Strickland, of Tatnall; |
| Killgore, | Thomas, of Dooly; |
| Knox, | Thomas, of Whitfield; |
| Lamar, of Bibb; | Trippe, |
| Lester, | Usry, |
| Lindley, | Varnadoe, |
| Logan, | Whitehead, |
| Logue, | Willingham, |
| Lyle, | Williams, of Harris; |
| Mallary, | Willis, |
| Marshall, | Winn, of Cobb; |
| McConnell, of Cherokee; | Winn, of Gwinnett; |
| McDaniel, | Word. |
| McRae, | |
| Means, | |

So the resolution was adopted.

Mr. Stephens, of Taliaferro, laid on the table the following ordinance:

AN ORDINANCE

Additional to a previous ordinance of the Convention on the subject of citizenship.

Be it ordained by the people of Georgia in sovereign Convention assembled, That all white persons resident in the State at the time of the secession of the State from the United States, with the *bona fide* intention of making it the place of their abode, shall be considered as citizens of this State without reference to the place of birth: *Provided*, that any person not born in this State, can except him or herself from the operation of this ordinance by a declaration in any Court of Record in this State within three months from this date that he or she does not wish not to be considered a citizen of this State.

On motion of Mr. Stephens (of Taliaferro) the ordinance was taken up, read twice, and adopted.

Mr. Cobb offered the following resolution:

Resolved, That the Committee on the Constitution and Laws be instructed to revise the Constitution of the State of Georgia, and report the same to this Convention, with such alterations and amendments as they may recommend for adoption.

The resolution was taken up and read, when

Mr. Clarke offered the following amendment:

“But the subject of reduction being now before the Convention is not submitted to said Committee until after the final action of this Convention on that subject.”

The amendment was received, and the resolution, as amended, was adopted.

Mr. Alexander, of Upson, from the Committee of Seven, who were instructed to report this morning an ordinance to adopt and ratify the Constitution of the Confederate States of America, reported the following: To adopt and ratify the Constitution of the Confederate States of America.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same, That the Constitution adopted by the Congress at Montgomery, in the State of Alabama, on the eleventh day of March, in the year of our Lord one thousand eight hundred and sixty-one, for the “permanent federal government” of the Confederate States of America, be, and the same is hereby adopted and ratified by the State of Georgia, “acting in its sovereign and independent character.”

Mr. Stephens, of Taliaferro, moved to take up and agree to the report, upon which motion Mr. Hull demanded the yeas and nays be recorded.

There are yeas, 276; nays, none.

Those who voted in the affirmative are, Messrs.:

| | |
|-----------------------|----------------------|
| Adams, of Camden; | Alexander, of Upson; |
| Adams, of Putnam; | Algood, |
| Alexander, of Fulton; | Arnold, |

| | |
|------------------------|--------------------------|
| Banks, | Cody, |
| Bartow, | Coleman, |
| Beasley, | Collins, |
| Bell, of Banks; | Colquitt, |
| Bell, of Forsyth; | Corn, |
| Beall, of Troup; | Cox, |
| Benning, | Crawford, of Greene; |
| Black, | Crawford, of Richmond; |
| Blalock, | Dabney, |
| Bowen, | Daniel, |
| Bozeman, | Davis, of Chattahoochee; |
| Brewton, | Davis, of Putnam; |
| Briggs, | Davenport, of Clay; |
| Briscoe, | Davenport, of Sumter; |
| Brown, of Houston; | Day, |
| Brown, of Marion; | Deupree, |
| Brown, of Webster; | Dewberry, |
| Bryan, | Dickerson, |
| Buchanan, | Douglass, |
| Bullard, | Dozier, |
| Burch, | Ellington, |
| Burnett, | Fain, |
| Bush, | Farnsworth, |
| Butts, | Fleming, |
| Calhoun, | Fields, |
| Cannon, of Rabun; | Fitzpatrick, |
| Cannon, of Wayne; | Ford, |
| Cantrell, | Fort, of Stewart; |
| Carson, | Fort, of Wayne; |
| Carswell, | Fouche, |
| Casey, | Freeman, |
| Chastain, | Frier, |
| Cheshier, | French, |
| Clarke, | Furlow, |
| Cleveland, | Gaulden, |
| Cochran, of Terrell; | Gardner, |
| Cochran, of Wilkinson; | Garvin, |
| Cobb, | Gee, |

Gholston,
Glenn, of Fulton;
Glenn, of Oglethorpe,
Glover,
Gordon,
Graham,
Gray,
Gunn,
Hale,
Hall,
Haines,
Hamilton,
Hammond,
Hansell,
Hargroves,
Harville,
Harris, of Glynn,
Harris, of Hancock;
Harris, of McIntosh;
Harris, of Meriwether;
Harvey,
Hawkins,
Head,
Henderson,
Hendry,
Hendricks,
Herrington,
Hill, of Hart;
Hill, of Troup;
Hilliard,
Hood,
Hoyal,
Howell,
Hudson, of Gwinnett,
Hudson, of Harris;
Huggins,
Hull,
Humphries,
Hust,

Jackson,
Jennings,
Johnson, of Clayton;
Johnson, of Hall;
Johnson, of Jefferson;
Johnson, of Oglethorpe;
Jones, of Burke;
Jones, of Chatham;
Jordan,
Kenan,
Ketchum,
Killgore,
Kimsey,
Kirkland,
Knox,
Lamar, of Lincoln;
Lamar, of Bibb;
Lamb,
Lattimer, of Appling;
Lattimer, of Montgomery;
Low,
Lester,
Lindley,
Logan,
Logue,
Long,
Lyle,
Mabry, of Berrien;
Mabry, of Heard;
Mallary,
Manson,
Marshall,
Martin, of Elbert;
Martin, of Lumpkin;
Martin, of Meriwether;
McConnell, of Catoosa;
McConnell, of Cherokee;
McCulloch,
McDaniel,

McGriff,
McLain,
McLeod,
McRae,
Means,
Mershon,
Milton,
Mitchell,
Moore, of Bulloch;
Moor, of Spalding;
Montgomery,
Morrow,
Mounger,
Munnerlyn,
Neal, of Columbia,
Neal, of Talbot;
Newton,
Nisbet,
Overstreet,
Padget,
Paris,
Patrick,
Perkins,
Phinizy, of Monroe,
Phinizy, of Richmond;
Pickett,
Pierce,
Pinson,
Pittman,
Pitts,
Poe,
Pofford,
Ponder,
Porter,
Poullain,
Prescott,
Price,
Pruett,
Ramsey, of Clinch;

Ramsey, of Muscogee;
Reed,
Reese,
Reynolds,
Rice,
Richardson, of Lee;
Robinson,
Roddey,
Rutherford,
Saffold,
Sharman,
Sharpe,
Sheffield, of Calhoun;
Sheffield, of Early;
Shell,
Shropshire, of Chattooga;
Shropshire, of Floyd;
Slater,
Skelton,
Simmons, of Pickens;
Simms,
Singleton,
Sirmons,
Sisk,
Smith, of Charlton;
Smith, of DeKalb;
Smith, of Johnson;
Smith, of Talbot;
Solomons,
Spence,
Stapleton,
Starr,
Stephens, of Hancock;
Stephens, of Monroe;
Stephens, of Taliaferro;
Street,
Strickland, of Forsyth;
Strickland, of Tatnall;
Styles,

| | |
|------------------------|--------------------------|
| Taliaferro, | West, |
| Teasley, | Whelchel, |
| Thomas, of Dooly ; | Whitehead, |
| Thomas, of Whitfield ; | Wicker, |
| Tidwell ; | Willingham, |
| Tillman, | Williams, of Chattooga ; |
| Tomlinson, | Williams, of Harris ; |
| Trippe, | Williams, of McIntosh ; |
| Troup, | Williamson, |
| Tucker, of Colquitt ; | Willis, |
| Tucker, of Laurens ; | Winn, of Coob ; |
| Turner, of Wilcox ; | Winn, of Gwinnett ; |
| Usry, | Wood, |
| Varnadoe, | Word, |
| Walton, | Wright, |
| Warner, | Yates, |
| Waterhouse, | Yopp, |
| Webb, | Young, of Gordon ; |
| Wellborn, | Young, of Irwin. |

So the ordinance, having been read twice, (every member present voting on its passage) was unanimously adopted. Whereupon

The President declared that the Constitution of the Confederate States of America, had been ratified.

Mr. Chastain offered the following resolution, which was taken up, read, and adopted :

Resolved, That the injunction of secrecy be removed from the proceedings of the Convention to-day, except the action of this Convention on the ordinance submitted by Mr. Singleton, a delegate from Scriven county.

Mr. Nisbet offered the following resolution, which was taken up, read, and adopted :

Resolved, That the President of this Convention transmit to the President of the Congress of the Confederate States, a copy duly certified, when enrolled and signed, of the ordinance this day passed, ratifying and adopting the permanent Constitution.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, made the following report:

The Committee to whom was referred the resolution providing for the continuance of causes in the several Courts, under certain circumstances,

REPORT

That they have had the same under consideration, and recommend that no action be taken on the subject by this Convention.

The report was taken up, read and adopted.

Mr. Strickland, of Forsyth, laid upon the table the following resolutions, which were taken up, read, and referred to the "Committee on Military Affairs:"

Resolved, That His Excellency the Governor, be, and he is hereby authorized and instructed to turn over to the government of the Confederate States, the two regiments of regular troops now being raised under an ordinance of this Convention; *Provided*, That the government will accept the enlisted soldiers together with all the officers of the two regiments as appointed by the Governor of this State, for and during the term for which the recruits have been enlisted.

Resolved, That this Convention hereby approves the action of His Excellency the Governor in proceeding to organize and hold in readiness for active service, under the provisions of the Act of the Legislature, all the volunteer forces of this State, which may not be needed for the service of the Confederate States; and that he be authorized to arm said troops as fast as organized, and to call the officers together for drill and training when necessary, that the whole force may be made efficient, should it be needed for the purpose of repelling any invasion, or attempted invasion of the soil of this State.

Mr. Hood laid on the table the following Ordinance, which was taken up, read, and referred to the Committee on Military Affairs:

AN ORDINANCE

To authorize the Governor to raise and expend money for the defence of this State.

Be it ordained by the people of Georgia in sovereign Convention assembled, and it is hereby ordained by authority of the same,

That his Excellency, the Governor of this State, be, and he is hereby authorized to raise and expend such sums of money as may be necessary to carry out all ordinances of this Convention, and all acts of the Legislature which provides for the public defence of this State; and for that purpose he is hereby authorized to issue and sell bonds of this State, having such time to run as he may designate, with interest coupons attached, payable at such place, or places, as he may think proper,

until he shall have raised such sums of money as the exigencies of the State may require; said bonds to be for one thousand dollars each, or such less sums as the Governor may find to be most saleable.

And be it further ordained, That the faith and credit of this State are hereby solemnly pledged for the redemption of all such bonds and interest coupons as the Governor may issue and dispose of under this ordinance.

And be it further ordained, That in case the Governor shall be unable to raise by the sale of bonds, a sufficient sum for the defence of the State, he is hereby authorized to issue and dispose of Treasury Notes, in sums of twenty-five, fifty, and one hundred dollars, each, for that purpose; said notes to bear such interest as may be prescribed by the Governor, not to exceed seven per cent. per annum.

Mr. Fouche laid on the table the following:

AN ENUNCIATION OF FUNDAMENTAL PRINCIPLES.

Experience having admonished us that there exists a widespread disposition in many sections, to question or deny the right of the people of Georgia, to be a free, independent, and sovereign State, endowed with all the rights of a perfect sovereignty, among which is the right to secede from a Confederacy, upon finding a continuance in it incompatible with her peace, safety, happiness, interests, or liberties; aware, moreover, of the importance of a thorough understanding of the fundamental

principles of all just government by the people of a free State: We, the representatives of the people of Georgia in that supreme and sovereign capacity wherein they are entitled to make, alter, and abolish Constitutions and Governments, do hereby publish and declare:

First. That sovereignty is the supreme, ultimate power, abiding the people of an organized community or State.

Second. That sovereignty is one, indivisible, inalienable, and imprescriptible.

Third. That all other power in the State is derived from, is subordinate to, and revocable by, the sovereignty.

Fourth. That Governments are not sovereign, but the creatures of the sovereignty, ordained and established by it, for the purpose of a convenient exercise of its ordinary powers, in the enactment, administration, and execution of laws, to establish justice, and promote the peace, good order, security, and prosperity of the State.

Fifth. That constitutions or fundamental laws, are the direct enactments of the sovereignty, organizing governments, delegating, defining, and limiting their powers, and enumerating the purposes for which those powers are to be exerted.

Sixth. That allegiance is due only to the sovereignty, and obedience is due to government only as its regularly constituted organ.

Seventh. That no mere government, whether it be a government proper or improper, has a right to resist the regularly expressed will of the sovereignty which created it, either for the purpose of retaining power, or of continuing in existence against that will.

Eighth. That there ought to be established a real and effective responsibility on the part of all officials in every department of government.

Ninth. That power given for one purpose, cannot rightfully be exercised for any other, and therefore the taxing power can be exercised only to raise revenue to defray the expenses of government, defend the State, or for some other purpose specified in the grant of the power.

Tenth. That the system of taxation adopted in a free State, ought to be just and equal in its operation as between individuals, classes, and sections; and ought to be generally and thoroughly understood by the people, in order that they may be enabled to hold their representatives to a real responsibility, and secure simplicity, economy, and purity, in the administration.

Eleventh. That in its relation to individuals, the protection of person, property, and character, against violence, fraud, and defamation, is the sole legitimate object of all just government; and an imbecile government which cannot, or a corrupt government which will not give it, ought to be reformed or overthrown.

Twelfth. That it is the indispensable duty of a good government, to provide an easy, prompt, and adequate

remedy for the infraction of every right; and a just, but certain punishment for every wrong or crime.

Thirteenth. That all citizens of a free State, may freely, and peaceably, assemble to consider any matter interesting to them; may keep, and bear arms; may petition their government for anything within the sphere of its powers; may freely speak, write, and publish their opinions upon any subject, standing to the penalty of law for any abuse of these privileges; may profess any religious creed, and practice any form of religious worship, without being subjected, on account thereof, to any political or legal disability, or entitled to any political or legal privileges of favor.

On motion of Mr. Fouche, the foregoing "Fundamental Principles" were taken up, and read, and were referred to the "Committee on the Constitution and Laws of the State and the Constitution of the United States," together with the "Bill of Rights," previously reported by said committee through its Chairman, Mr. Cobb.

Leave of absence was asked for Messrs. Harris, of Meriwether; Perkins, of Taliaferro; Wicker, Douglas, Banks, of Stewart; Spencer, Phinzy, of Richmond; Hines, Sheffield, of Early; Sheffield, of Calhoun; Buchanan, McDonald, Davis, Burch, Gaulden, Smith, of Talbot; and Shropshire, of Floyd, which was refused.

On motion of Mr. Chastain, the Convention then adjourned till ten o'clock Monday morning.

MONDAY, MARCH 18, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Crawford.

A quorum being present, the Journal was read.

Mr. Carswell moved to reconsider so much of the Journal of Saturday as relates to the adoption of the resolution regulating the pay of mileage to the members of this Convention.

Mr. Chastain moved to lay that motion on the table, which was carried.

Mr. Fort, from the Committee on Enrollment, made the following report:

Mr. President: The Committee on Enrollment have had enrolled, and it is now ready for the signatures of the President and delegates:

An ordinance to adopt and ratify the Constitution of the Confederate States of America.

They have also had enrolled and it is now ready for the signature of the President:

An ordinance, additional to a previous ordinance of this Convention, on the subject of citizenship.

Mr. Hansel offered the following resolution, which was taken up, read, and adopted:

Resolved, That those delegates who were absent on Saturday, when the vote was taken on the adoption of the ordinance ratifying the Constitution, have leave to record their votes.

Leave of absence was granted to Messrs. Bell, of Banks; Collins, of Columbia; West, Dozier, and Dabney, on account of sickness in their families.

Leave of absence was refused to Messrs. Deupree, Pinson, Douglas, Harris, of Meriwether; and Graham, who applied for the same on account of business requiring their attention.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, to whom was referred the ordinance in relation to citizens of Georgia holding office under the government of the late United States, reported adversely to the passage of the ordinance.

Mr. Bell, of Forsyth, laid on the table the following preamble and resolution, which were read:

Whereas, Governments are instituted to secure the rights of the people, and protect them in the enjoyment of those rights. And whereas, rigid economy in the public expenditures is an element of strength in Republican Governments, while recklessness and prodigality in such expenditures are detrimental to the public virtue. Therefore,

Resolved, That in the innaguration of the new government, the multiplication of unnecessary officers to

provide positions for favorites, is condemned by the people of Georgia.

Resolved, That the salaries of officers, State and Federal, Executive, Legislative, Judicial, and Diplomatic, ought not to exceed adequate compensation for services rendered the government.

Mr. Corn laid upon the table the following resolution, which was read.

Resolved, That a Special Committee of Eight, (one from each Congressional District), be raised for the purpose of reporting, at an early day, an ordinance upon the subject of the reduction of the fees and salaries of all civil officers of this State, from Governor down to county officers, and also the *per diem* pay of the members of the Legislature of this State.

Mr. Nisbet offered the following preamble and resolutions, which were taken up, read, and adopted:

Whereas, The government of the Confederate States has authorized bonds to be issued, running from five to ten years, and secured by an export duty of one-eighth of one per cent. per pound upon cotton, for the purpose of meeting the pecuniary necessities of that government. And, whereas, investment in such funds may be both convenient and safe for executors, administrators, guardians, and other trustees, and at the same time contribute to the sum needed by the Confederate States. Therefore,

Resolved, That the Legislature of this State be, and is hereby requested, at its next session, to consider the propriety of passing a law, authorizing executors, ad-

ministrators, guardians and other trustees, to invest trust funds in their hands in the bonds of the Confederate States upon the same terms that such trustees are now by law authorized to invest in the bonds of the State of Georgia.

Mr. Fouché moved to take up the resolution introduced by Mr. Hawkins, providing for the appointment by the President, of a Committee of sixteen, two from each Congressional District, to arrange ten Congressional Districts for the State, etc.

The motion was agreed to, when Mr. Fouché moved to insert a committee of "twenty-four," and "three" from each Congressional District, instead of a committee of "sixteen," and "two" from each Congressional District.

The amendment was received.

Mr. Hill, of Troup, offered the following as a substitute for the resolution as amended:

AN ORDINANCE

To organize Congressional Districts for the State of Georgia:

Be it ordained by the people of Georgia, in Convention assembled,

That until otherwise ordered by the General Assembly of the State of Georgia, the several Congressional Dis-

tricts for the State of Georgia, shall be composed of the counties following, to-wit:

Mr. Clark moved that the resolution be referred to a Special Committee, to consist of the members of this body who are delegates to the Congress at Montgomery, together with the mover of the resolution, to report upon the propriety and necessity of accepting the same.

Pending the consideration of which, Mr. Hawkins called for the "previous question," which, being seconded and sustained, the main question was put, to-wit: the adoption of the original resolution as amended, which was decided in the affirmative.

So the resolution was adopted.

Mr. Styles moved to take up his resolution instructing the Governor to furnish side arms to the officers of military companies who have, or may hereafter draw arms from the State.

The motion was agreed to, when Mr. Cobb moved to refer the same to the Committee on Military Affairs.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, reported the following resolutions:

Resolved, That in the publication of the Revised Code of the Laws of this State, adopted by the Legislature at its late session, the "United States" shall be stricken out, and the "Confederate States" substituted, wherever the same may be necessary.

Resolved further, That the Constitution of the Confederate States shall be published as a part of the Code.

On motion of Mr. Cobb, the same was taken up, read, and adopted.

Mr. Alexander, of Upson, offered the following resolution, which was taken up, read, and adopted:

Resolved, That the Committee on Enrollments be requested to make suitable arrangements for the delegates of this Convention to affix their signatures, at their convenience, to the ordinance adopting and ratifying the permanent Constitution of the Confederate States of America.

The ordinance laid on the table by Mr. Styles to appropriate money for the use of the Confederate States of America, was taken up, read, and referred to the Committee on Military affairs.

Mr. Gardner laid on the table the following ordinance, which was taken up, read, and referred to the Committee on the Constitution and Laws of the State and the United States:

AN ORDINANCE

To alter Sections the 3rd and 12th, of Article 1st, and Section 1st of Article 2nd of the Constitution of the State of Georgia:

Be it ordained by the people of Georgia, in Convention assembled,

That the third Section of the first Article, and the first Section of the second Article of the Constitution of this State be so altered as to extend the term of office of the Governor and members of the Senate of the Legislature of the State of Georgia to four years next succeeding their election, and that the election of said civil officers be held on the first Monday in October every four years, in pursuance of the requirements of this ordinance.

Be it further ordained, by the authority aforesaid, That Section twelve of Article first of the Constitution of this State be so altered as to change the sessions of the Legislature from annual to biennial, and to require said sessions of the General Assembly of the State of Georgia to commence biennially on the first Wednesday in November, immediately following each biennial election of members of the House of Representatives. The term of said sessions to continue the same as that now prescribed by law.

On motion of Mr. Hull, the second Section of the ordinance to alter and amend the 3rd, 4th, 7th and 8th Sections of the first Article of the Constitution of this State, and for other purposes, was taken up for consideration and read, and, on his motion, was referred to the Committee on the Constitution and Laws of the State, and of the United States.

The third Section of the ordinance was taken up and read. Mr. Cobb offered the following as a substitute for the same, to-wit:

The House of Representatives shall consist of two hundred members, composed as follows: Each county

shall have one Representative. The remaining number shall be distributed by the Legislature among the counties having the largest representative population, so as to give to each of such counties such a proportion of the same as their population demands; *Provided*, no county shall have more than one member, whose representative population does not exceed ---- thousand persons.

Mr. Garvin offered the following as a substitute for the foregoing and original resolution:

The House of Representatives shall consist of one hundred and eighty-two members. Each county shall have one Representative, and the ten counties having the highest representative population shall have three Representatives each, and the thirty counties having the next largest population, two Representatives each.

On motion of Mr. Kenan, the original Section and the substitute were laid on the table for the balance of the session.

On motion of Mr. Chastain, the Convention then adjourned till ten o'clock tomorrow morning.

TUESDAY, MARCH 19, 1861.

The Convention met pursuant to adjournment and was opened with prayer by the Rev. Mr. Pryse.

The roll was called, and a quorum being present, the Journal was read.

Mr. Cobb moved that so much of the Journal of yesterday as relates to the adoption of the motion of Mr. Kenan, "to lay on the table for the balance of the session," the original third section, and the substitutes therefor, of the ordinance reported by the Committee on Reduction, be reconsidered.

Upon which motion the yeas and nays were demanded to be recorded.

The yeas are 117; nays 131, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|------------------------|-----------------------|
| Adams, of Camden, | Davenport, of Sumter, |
| Adams, of Putnam, | Dewberry, |
| Alexander, of Fulton, | Dickerson, |
| Alexander, of Upson, | Fain, |
| Allen, | Fort, of Stewart, |
| Arnold, | Fouche, |
| Beasley, | Furlow, |
| Beall, of Troup, | Gardner, |
| Benning, | Garvin, |
| Blalock, | Glenn, of Fulton, |
| Brown, of Houston, | Glenn, of Oglethorpe, |
| Bryan, | Glover, |
| Calhoun, | Gordon, |
| Cantrell, | Graham, |
| Casey, | Gray, |
| Cobb, | Gresham, |
| Cody, | Gunn, |
| Collins, | Haines, |
| Cox, | Haimlton, |
| Crawford, of Greene, | Hammond, |
| Crawford, of Richmond, | Hansell, |
| Dabney, | Harris, of Hancock, |
| Davis, of Putnam, | |

| | |
|-------------------------|---------------------------|
| Harvey, | Picket, |
| Hawkins, | Pinson, |
| Hendricks, | Pittman, |
| Hilliard, | Pitts, |
| Hoyal, | Poullain, |
| Hudson, of Harris, | Reese, |
| Hull, | Reynolds, |
| Humphries, | Rice, |
| Johnson, of Clayton, | Roddey, |
| Johnson, of Oglethorpe, | Rutherford, |
| Jones, of Burke, | Saffold, |
| Ketchum, | Sharman, |
| Killgore, | Sharpe, |
| Lamar, of Lincoln, | Shropshire, of Chattooga, |
| Lamar, of Bibb, | Shropshire, of Floyd, |
| Low, | Skelton, |
| Lindley, | Singleton, |
| Logan, | Spence, |
| Logue, | Stapleton, |
| Lyle, | Stephens, of Monroe, |
| Mabry, of Heard, | Strickland, of Forsyth, |
| Manson, | Teasley, |
| Martin, of Elbert, | Thomas, of Whitfield, |
| Martin, of Lumpkin, | Tidwell, |
| McConnell, of Cherokee, | Trippe, |
| McCulloch, | Troup, |
| McDaniel, | Tucker, of Laurens, |
| Means, | Warner, |
| Moor, of Spalding, | Wellborn, |
| Montgomery, | Whitehead, |
| Morrow, | Willingham, |
| Neal, of Columbia, | Willis, |
| Neal, of Talbot, | Winn, of Cobb, |
| Nisbet, | Word, |
| Phinzy, of Monroe, | Wright, |
| Phinzy, of Richmond, | Young, of Gordon. |

Those who voted in the negative are Messrs.:

| | |
|--------------------------|--------------------------|
| Algood, | French, |
| Bell, of Forsyth, | Gaulden, |
| Black, | Gee, |
| Bowen, | Gholston, |
| Bozeman, | Hale, |
| Brewton, | Hall, |
| Briggs, | Harville, |
| Briscoe, | Harris, of Glynn, |
| Brown, of Marion, | Harris, of McIntosh, |
| Brown, of Webster, | Head, |
| Burnett, | Henderson, |
| Bush, | Hendry, |
| Butts, | Herrington, |
| Byrd, | Hines, |
| Cannon, of Rabun, | Hood, |
| Cannon, of Wayne, | Howell, |
| Carson, | Hudson, of Gwinnett, |
| Carswell, | Huggins, |
| Chastain, | Hust, |
| Cheshier, | Jackson, |
| Clarke, | Johnson, of Hall, |
| Cleveland, | Johnson, of Jefferson, |
| Cochran, of Terrell, | Jones, of Chatham, |
| Cochran, of Wilkinson, | Jordan, |
| Coleman, | Kenan, |
| Corn, | Kimsey, |
| Daniel, | Kirkland, |
| Davis, of Chattahoochee, | Knox, |
| Davenport, of Clay, | Lamb, |
| Day, | Lattimer, of Appling, |
| Deupree, | Lattimer, of Montgomery, |
| Farnsworth, | Lester, |
| Fleming, | Long, |
| Fitzpatrick, | Mabry, of Berrien, |
| Ford, | Marshall, |
| Fort, of Wayne, | McConnell, of Catoosa, |
| Frier, | McDonald, |

| | |
|------------------------|--------------------------|
| McGriff, | Smith, of Charlton, |
| McLeod, | Smith. of Johnson, |
| McRae, | Solomons, |
| Mershon, | Starr, |
| Milton, | Stephens, of Hancock, |
| Moore, of Bulloch, | Stephens, of Pierce, |
| Mounger, | Stephens, of Taliaferro, |
| Overstreet, | Street, |
| Padgett, | Strickland, of Tatnall, |
| Paris, | Styles, |
| Patrick, | Taliaferro, |
| Pierce, | Thomas, of Dooly, |
| Poe, | Tillman, |
| Pofford, | Tomlinson, |
| Ponder, | Tucker, of Colquitt, |
| Porter, | Turner, of Wilcox, |
| Price, | Usry, |
| Ramsey, of Clinch, | Varnadoc, |
| Ramsey, of Muscogee. | Walton, |
| Reed, | Webb, |
| Richardson, of Lee, | Whechel, |
| Robinson, | Williams, of Chattooga, |
| Sheffield, of Calhoun, | Williams, of Harris, |
| Shell, | Williams, of McIntosh, |
| Slater, | Williamson, |
| Simmons, of Pickens, | Winn, of Gwinnett, |
| Simms, | Yopp, |
| Sirmons, | Young, of Irwin. |
| Sisk, | |

So the motion did not prevail.

The President announced the following committee under the resolution of Mr. Hawkins, adopted on yesterday, to appoint a committee to form ten Congressional Districts for this State, and report the same to this Convention, to-wit:

Mr. Hawkins, Chairman, from the Second District.

Messrs. Jones, of Chatham, Fleming and Brewton from the First District.

Messrs. Fort, of Stewart, and Rutherford from the Second District.

Messrs. Lamar, of Bibb, Cleveland and Sharman from the Third District.

Messrs. Lindley, Manson, and Alexander from the Fourth District.

Messrs. Word, Farnsworth and Walton from the Fifth District.

Messrs. Knox, Ketchum and Hill, of Hart, from the Sixth District.

Messrs. Jordan, Briscoe and Gray from the Seventh District.

Messrs. Usry, Allen and Singleton from the Eighth District.

The President laid on the table a communication from Hon. A. R. Wright, the Commissioner from the State of Georgia to the State of Maryland, in which was enclosed a communication from the Governor of Maryland to said Commissioner, which was read, and

On motion of Mr. Varnadoe, the communication of the Governor of Maryland was laid on the table for the balance of the session.

Mr. Roddey laid on the table a preamble and resolution, which were read, to-wit:

Whereas, The Legislature of Georgia authorized the suspension of the Banks of the State, and by the Act of Congress of the Confederate States, duties on imports are made payable in specie, and in consequence of the Bank suspension and other causes, exchange and specie has risen to ---- per cent. And, whereas, both the duties and premium on exchange, first advanced by the importing merchant and finally paid by the people, who consume the imported goods, amount to a burdensome tax; and, whereas, it is believed that the duties aforesaid might be payable in the Bank currency of the respective States, or other arrangements made which would relieve the people from the costs of specie, without detriment to the public service; therefore,

Resolved, That the Congress of the Confederate States are hereby respectfully requested to enquire into the practicability of so amending the revenue laws, as to authorize the duties on imports to be paid in the bills of such solvent banks of the Confederate States as may be selected for that purpose by the Secretary of the Treasury, or in their wisdom to make such other provision for the collection of the revenue, as will relieve the country from the payment of existing premiums on specie.

Mr. Moor, of Spalding, from the Committee on Enrollment made the following report:

Mr. President:

The Committee on Enrollment report as duly enrolled and ready for the signature of the President:

A resolution to strike out "*United States*" in the Revised Code of the Laws of this State, and to insert "*Confederate States*" and in the publication thereof.

Also:

A resolution relative to investment by administrators, guardians, &c., of trust funds in the bonds of the Confederate States.

Which resolutions were signed, and transmitted to the Secretary of State.

Mr. Alexander, of Upson, laid on the table the following resolution which was read:

Resolved, That this Convention will adjourn on Friday, the 22nd instant, to re-assemble at Milledgeville at the call of the President, if the public interest should require the same, and in case of his death or resignation, then at the call of the Governor.

Mr. Cobb, from the Committee on the Constitution and the Laws of the State, and the Constitution of the United States, asked leave of absence for said committee during the sittings of the Convention, and also the privilege of directing that 300 copies of their report, as far as it has progressed, be printed.

The leave asked for was granted.

Mr. Robinson moved to take up his resolution relative to the *per diem* pay of the members of this Convention on the day of their visit to Fort Pulaski.

The motion was lost.

Leave of absence was granted to Messrs. Mitchell, Cannon, of Rabun, Hargrove and Poe.

Mr. Hood offered the following resolution, which was taken up and read:

Resolved, That no member of this Convention shall receive *per diem* compensation after leave of absence granted for the balance of the session, or who shall leave the Convention without permission.

Mr. Styles moved to lay the resolution on the table for the balance of the session, which motion was lost.

Mr. Wellborn moved to add the words "except on account of sickness in his family," which was lost.

The resolution was then adopted.

On motion of Bell, of Forsyth, the preamble and resolution introduced by him on yesterday relative to economy in the public expenditures and the multiplication of offices in the State and Federal Governments, were taken up and read.

Mr. Styles moved to refer the same to the Committee on the Constitution and Laws of the State, and Constitution of the United States.

Pending the consideration of which, Mr. Bell, of Forsyth, called for the "previous question," which being seconded and sustained, the main question, to-wit: the adoption of the resolution, was put upon its passage, when he demanded that the yeas and nays be recorded.

There are yeas 141; nays 36, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|------------------------|----------------------|
| Alexander, of Upson, | Day, |
| Algood, | Dewberry. |
| Arnold, | Dickerson, |
| Beasley, | Fain, |
| Beall, of Forsyth, | Farnsworth, |
| Beall, of Troup, | Fitzpatrick, |
| Black, | Ford, |
| Bowen, | Frier, |
| Brewton, | Gholston, |
| Briscoe, | Gordon, |
| Brown, of Marion, | Graham, |
| Brown, of Webster, | Gresham, |
| Bush, | Hale, |
| Butts, | Hall, |
| Byrd, | Hamilton, |
| Calhoun, | Hammond, |
| Cannon, of Rabun, | Harris, of Hancock, |
| Carson, | Harvey, |
| Chastain, | Head, |
| Cheshier, | Henderson, |
| Cochran, of Terrell, | Hendricks, |
| Cochran, of Wlikinson, | Herrington, |
| Coleman, | Hoyal, |
| Corn, | Hudson, of Gwinnett, |
| Cox, | Hudson, of Harris, |
| Daniel, | Huggins, |
| Davis, of Putnam, | Hust, |
| Davenport, of Sumter, | Johnson, of Clayton, |

| | |
|--------------------------|---------------------------|
| Johnson, of Hall, | Pitts, |
| Johnson, of Jefferson, | Pofford, |
| Jones, of Burke, | Ponder, |
| Jones, of Chatham, | Prescott, |
| Killgore, | Price, |
| Kimsey, | Reynolds, |
| Kirkland, | Robinson, |
| Knox, | Roddey, |
| Lamar, of Bibb, | Sharman, |
| Lattimer, of Montgomery, | Shell, |
| Lester, | Shropshire, of Chattooga, |
| Lindley, | Shropshire, of Floyd, |
| Lyle, | Skelton, |
| Mabry, of Berrien, | Simmons, of Pickens, |
| Mabry, of Heard, | Sirmons, |
| Manson, | Sisk, |
| Marshall, | Solomons, |
| Martin, of Lumpkin, | Spence, |
| McConnell, of Cherokee, | Stapleton, |
| McCulloch, | Starr, |
| McDaniel, | Stephens, of Pierce, |
| McDonald, | Street, |
| McRae, | Strickland, of Forsyth, |
| Means, | Strickland, of Tatnall, |
| Mershon, | Taliaferro, |
| Milton, | Thomas, of Whitfield, |
| Moor, of Spalding, | Tidwell, |
| Montgomery, | Tucker, of Colquitt, |
| Morrow, | Turner, of Hancock, |
| Neal, of Talbot, | Usry, |
| Nisbet, | Varnadoe, |
| Padget, | Walton, |
| Pariss, | Webb, |
| Patrick, | Wellborn, |
| Phinizy, of Monroe, | Willingham, |
| Phinizy, of Richmond, | Williams, of Chattooga, |
| Pickett, | Williams, of Harris, |
| Pierce, | Williamson, |
| Pittman, | Winn, of Cobb, |

| | |
|--------------------|-------------------|
| Winn, of Gwinnett, | Yopp, |
| Wood, | Young, of Gordon, |
| Word, | Young, of Irwin. |
| Wright, | |

Those who voted in the negative are Messrs.:

| | |
|--------------------------|-------------------------|
| Blalock, | Hines, |
| Bryan, | Humphries, |
| Burnett, | Jackson, |
| Davis, of Chattahoochee, | Johnson, of Oglethorpe, |
| Davenport, of Clay, | Lattimer, of Appling, |
| Fleming, | McConnell, of Catoosa, |
| Fort, of Wayne, | McLeod, |
| French, | Moore, of Bulloch, |
| Furlow, | Mounger, |
| Gaulden, | Reed, |
| Glenn, of Fulton, | Richardson, of Lee, |
| Glenn, of Oglethorpe, | Singleton, |
| Gray, | Smith, of Johnson, |
| Hansell, | Styles, |
| Harville, | Thomas, of Dooly, |
| Harris, of Glynn, | Tucker, of Laurens, |
| Harris, of McIntosh, | Whitehead, |
| Hilliard, | Williams, of McIntosh. |

So the preamble and resolutions were adopted.

On motion of Mr. Alexander, of Upson, the Convention then adjourned till eleven o'clock tomorrow morning.

WEDNESDAY, MARCH 20, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Staley.

A quorum being present, the Journal was read.

Mr. Hansell moved to reconsider so much of the Journal of yesterday, as relates to the adoption of the preamble and resolution of Mr. Bell, of Forsyth, relative to economy in the public expenditures and the multiplication of officers in the State and Federal Governments.

The motion prevailed, when, on motion, the resolutions were taken up.

Mr. Means offered the following as an amendment, and an additional resolution, which was received, to-wit:

Resolved, That this Convention recognizes with sincere pleasure, and high approval, the practical application of the foregoing principles in the organization and outfit of the Confederate States, and rely with confidence on the wisdom and prudence of the proper authorities, for a proper and economical administration.

Mr. Whitehead moved to lay the resolutions on the table for the balance of the session.

The motion was lost, and the preamble and resolutions, as amended, were adopted.

Mr. Clarke, of Dougherty, laid on the table the following ordinance, which was read:

AN ORDINANCE

To modify the Act of the General Assembly of 1859, relative to Bank suspensions.

Be it ordained, That whenever a citizen shall present at the counter of any of the Banks of this State, a certifi-

cate of any collector of custom of this State, that said citizen is due such Collector for duties on goods, a specified amount, such Bank shall redeem in specie its own bills presented at an amount at most equal to such amount due for customs; *provided*, such applicant shall, if required by the Bank, swear that he is a citizen of this State, in good faith, owing said duties, and that he has not, in a similar manner, taken from any other Bank an amount which, with the amount then demanded, will exceed the amount covered by the Collector's certificate.

Be it further ordained, That this ordinance shall continue in force until further action is taken by the General Assembly of this State, or the Congress of the Confederate States shall provide for the payment of the revenue in bills of solvent Banks.

Be it further ordained, That if any Bank shall refuse to redeem said bills in the manner aforesaid, it shall be liable to all the penalties in force, prior to said Act of the General Assembly of 1859.

Mr. Hill, of Troup, offered the following resolution, which, by unanimous consent, was taken up, read, and adopted:

Resolved, That the resolution in relation to *per diem* compensation, shall not exclude from compensation the delegate from Lincoln county, to whom leave of absence was granted on account of sickness, which sickness was contracted while in attendance upon the Convention; but said delegate shall be entitled to full mileage and *per diem* pay.

On motion of Mr. Cobb, Chairman of the Committee on the Constitution and Laws of the State, and of the United States, the report of said committee, on the "Constitution of the State" was made the special order of the day, for tomorrow at 10 o'clock A. M.

Mr. Roddey, from the Committee to arrange the Senatorial Districts, made the following report:

Mr. Roddey, from the committee to whom was referred the duty of arranging the Senatorial Districts of this State, and to prepare an ordinance therefor, reports the following

ORDINANCE.

The people of Georgia, in Convention assembled, do hereby declare and ordain, That the Senatorial Districts of this State shall be organized by counties as follows:

The first district shall consist of the counties of Chatham, Bryan and Effingham.

The second of Liberty, Tatnall, and McIntosh.

The third of Wayne, Pierce and Appling.

The fourth of Glynn, Camden and Charlton.

The fifth of Coffee, Ware and Clinch.

The sixth of Echols, Lowndes and Berrien.

The seventh of Brooks, Thomas and Colquitt.

The eighth of Decatur, Mitchell and Miller.

The ninth of Early, Calhoun and Baker.

- The tenth of Dougherty, Lee and Worth.
The eleventh of Clay, Randolph and Terrell.
The twelfth of Stewart, Webster and Quitman.
The thirteenth of Sumter, Schley and Macon.
The fourteenth of Dooly, Wilcox and Pulaski.
The fifteenth of Montgomery, Telfair and Irwin.
The sixteenth of Laurens, Johnson and Emanuel.
The seventeenth of Bulloch, Scriven and Burke.
The eighteenth of Richmond, Glascock and Jefferson.
The nineteenth of Tailiaferro, Warren and Greene.
The twentieth of Baldwin, Hancock and Washington.
The twenty-first of Twiggs, Wilkinson and Jones.
The twenty-second of Bibb, Monroe and Pike.
The twenty-third of Houston, Crawford and Taylor.
The twenty-fourth of Marion, Chattahoochee and
Muscogee.
The twenty-fifth of Harris, Upson and Talbot.
The twenty-sixth of Spalding, Butts and Fayette.
The twenty-seventh of Newton, Walton and Clarke.
The twenty-eighth of Jasper, Putnam and Morgan.
The twenty-ninth of Wilkes, Lincoln and Columbia.
The thirtieth of Oglethorpe, Madison and Elbert.
The thirty-first of Hart, Franklin and Habersham.
The thirty-second of White, Lumpkin and Dawson.

The thirty-third of Hall, Banks and Jackson.

The thirty-fourth of Gwinnett, DeKalb and Henry.

The thirty-fifth of Clayton, Fulton and Cobb.

The thirty-sixth of Meriwether, Coweta and Campbell.

The thirty-seventh of Troup, Heard and Carroll.

The thirty-eighth of Haralson, Polk and Paulding.

The thirty-ninth of Cherokee, Milton and Forsyth.

The fortieth of Union, Towns and Rabun.

The forty-first of Fannin, Gilmer and Pickens.

The forty-second of Cass, Floyd and Chattooga.

The forty-third of Murray, Whitfield and Gordon.

The forty-fourth of Walker, Dade and Catoosa.

The report was taken up and read.

Mr. Tidwell, from the same committee, offered the following as a minority

REPORT:

The 37th district shall be composed of the counties of Troup, Meriwether and Heard; the 36th district of Coweta, Fayette and Clayton; the 34th district of Fulton, Gwinnett and DeKalb; the 35th district of Cobb, Campbell and Carroll; the 26th district of Spalding, Henry and Butts.

Mr. Chastain moved the previous question, which being seconded and sustained, the main question, to-wit:

the adoption of the original report, was put, and decided in the affirmative. So the ordinance embraced therein, having been read twice, was adopted.

Mr. Glenn, of Fulton, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, to whom was referred the resolution tendering a location for the Capitol of the Confederate States, reported the following resolutions:

Resolved, That the Convention hereby expresses the willingness of the people of Georgia to cede a portion of the territory of this State, not exceeding ten miles square, to the Government of the Confederate States, for a Capitol and permanent seat of Government; and should the Confederate States select any portion of the territory of this State for said purpose, the Legislature be, and it is hereby authorized to cede jurisdiction thereof; if, in their judgment, such cession be consistent with the interest and safety of the State.

Resolved, That the President of this Convention forward a certified copy of the above and foregoing resolution to the President of the Congress of the Provisional Government of the Confederate States.

The report was taken up, read, and adopted.

Mr. Cannon, of Rabun, laid on the table the following resolution, which was taken up, read and lost:

Resolved, That the resolution relative to compensation, shall not exclude the delegate from Rabun county, who has been granted leave of absence on account of

sickness, which sickness was contracted while returning from the session at Milledgeville.

Mr. Alexander, of Upson, offered the following ordinance, which was taken up, and read :

AN ORDINANCE

To perfect the organization of the Senate of the State of Georgia :

Be it ordained by the people of Georgia, in Convention assembled, and it is here ordained by authority of the same,

That when the Senate shall convene and organize, it shall as soon as practicable, proceed to divide the said Senators into two classes: one class to consist of the Senators chosen from the districts which are known by having odd numbers, and the other class to consist of the Senators chosen from the districts being known by even numbers—one class to hold their office for two years, and the other class for four years—the same to be determined by lot. At every subsequent election (which shall be biennial) each district of the class whose time it shall be to elect, shall choose its Senator, who shall hold his office for the term of four years.

Mr. Tidwell moved to refer the same to the Committee on the Constitution and Laws.

The motion was lost.

Mr. Starr moved to strike out all in relation to the

division of Senators, and the four years tenure, and insert "that the Senators shall be elected biennially."

Mr. Alexander, of Upson, moved the previous question, which being seconded and sustained, the main question, to-wit: the passage of the ordinance, was put, when the yeas and nays were demanded to be recorded.

There are yeas, 88; nays, 146.

Those who voted in the affirmative, are Messrs.:

| | |
|--------------------------|-------------------------|
| Adams, of Camden, | Fort, of Wayne, |
| Adams, of Putnam, | Gaulden, |
| Alexander, of Fulton, | Gardner, |
| Alexander, of Upson, | Garvin, |
| Allen, | Glenn, of Oglethorpe, |
| Bartow, | Giles, |
| Bell, of Forsyth, | Gordon, |
| Beall, of Troup, | Gray, |
| Benning, | Harris, of Hancock, |
| Black, | Harvey, |
| Brown, of Houston, | Hilliard, |
| Brown, of Marion, | Hendricks, |
| Bryan, | Hull, |
| Burnett, | Humphries, |
| Calhoun, | Johnson, of Jefferson, |
| Clarke, | Johnson, of Oglethorpe, |
| Cobb, | Jones, of Chatham, |
| Crawford, of Richmond, | Kenan, |
| Davis, of Chattahoochee, | Ketchum, |
| Davis, of Putnam, | Lamar, of Lincoln, |
| Dewberry, | Lamar, of Bibb, |
| Ellington, | Logan, |
| Fleming, | Lyle, |
| Fields, | Manson, |
| Fort, of Stewart, | Martin, of Elbert, |

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|-----------------------|--------------------------|
| Martin, of Lumpkin, | Sharpe, |
| McCulloch, | Shell, |
| McDaniel, | Skelton, |
| Means, | Simms, |
| Moor, of Spalding, | Singleton, |
| Mounger, | Solomons, |
| Munnerlyn, | Spencer, |
| Neil, of Talobt, | Stephens, of Hancock, |
| Nisbet, | Stephens, of Taliaferro, |
| Padget, | Strickland, of Forsyth, |
| Phinizy, of Monroe, | Thomas, of Dooly, |
| Phinizy, of Richmond, | Thomas, of Whitfield, |
| Pitts, | Trippe, |
| Porter, | Turner, of Wilcox, |
| Reese, | Varnadoe, |
| Richardson, of Lee, | Willingham, |
| Robinson, | Wood, |
| Roddey, | Word, |
| Rutherford, | Young, of Gordon. |

Those who voted in the negative are, Messrs.:

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|--------------------|------------------------|
| Algood, | Casey, |
| Arnold, | Chastain, |
| Blalock, | Cheshire, |
| Bowen, | Cleveland, |
| Bozeman, | Cochran, of Terrell, |
| Brewton, | Cochran, of Wilkinson, |
| Briscoe, | Coleman, |
| Brown, of Webster, | Corn, |
| Bullard, | Crawford, of Greene, |
| Bush, | Daniel, |
| Butts, | Davenport, of Clay, |
| Byrd, | Davenport, of Sumter, |
| Cannon, of Rabun, | Day, |
| Cannon, of Wayne, | Dickerson, |
| Cantrell, | Fain, |
| Carson, | Farnsworth, |
| Carswell, | Fitzpatrick, |

Ford,
Fouche,
Freeman,
Frier,
French,
Furlow,
Glenn, of Fulton,
Glover,
Gunn,
Hale,
Hall,
Haines,
Hammond,
Hansell,
Harvill,
Harris, of Glynn,
Harris, of McIntosh,
Hawkins,
Head,
Henderson,
Hendry,
Herrington,
Hill, of Troup,
Hines,
Hoyal,
Hood,
Howell,
Hudson, of Gwinnett,
Hudson, of Harris,
Huggins,
Hust,
Jackson,
Jennings,
Johnson, of Clayton,
Johnson, of Hall,
Jones, of Burke,
Killgore,
Kimsey,
Kirkland,

Knox,
Lamb,
Lattimer, of Appling,
Lattimer, of Montgomery,
Low,
Lester,
Lindley,
Logue,
Mabry, of Berrien,
Marshall,
Martin, of Meriwether,
McConnell, of Catoosa,
McConnell, of Cherokee,
McDonald,
McLeod,
McRae,
Mershon,
Milton,
Moore, of Bulloch,
Montgomery,
Morrow,
Overstreet,
Paris,
Patrick,
Pickett,
Pierce,
Pittman,
Pofford,
Ponder,
Poullain,
Prescott,
Price,
Ramsey, of Clinch,
Ramsey, of Muscogæe,
Reed,
Reynolds,
Rice,
Saffold,
Sharmon,

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| Shropshire, of Floyd, | Tomlinson, |
| Slater, | Tucker, of Colquitt, |
| Simmons, of Pickens, | Tucker, of Laurens, |
| Sirmons, | Walton, |
| Sisk, | Webb, |
| Smith, of Johnson, | Wellborn, |
| Spence, | Welchel, |
| Stapleton, | Whitehead, |
| Starr, | Williams, of Chattooga, |
| Stephens, of Pierce, | Williams, of Harris, |
| Street, | Williams, of McIntosh, |
| Strickland, of Tatnall, | Williamson, |
| Styles, | Willis, |
| Taliaferro, | Winn, of Cobb, |
| Teasley, | Wright, |
| Tidwell, | Yopp, |
| Tillman, | Young, of Irwin. |

So the ordinance was lost.

Mr. Martin, of Lumpkin, laid on the table the following preamble and resolutions, which were taken, and read:

Whereas, The Rev. Chas. W. Thomas, a citizen of Georgia, and lately a Chaplain in the United States Navy, did, upon the secession of the State of Georgia, immediately resign his office in said United States Navy, thus acknowledging his duty and allegiance, both to Georgia and the South, as a true and devoted son. And, whereas, in point of talents and attainments, whether as rendering him capable to honor his State, or serve the holy cause of religion, he stands inferior to none. And, whereas, as well for his many years of laborious service, in doing good among the soldiery of the sea, at many personal sacrifices, as his unabated desire to continue in a similar

service under the Confederate States of America: And, whereas, he was the first among his brother Chaplains to approve the policy of the seceding States, by being first to resign his place in the old government. Therefore,

Resolved, That this Convention recommend him to the appointing power of the Confederate States of America, with the request that he receive the appointment of Senior Chaplain of the Navy, or such other rank or station, as his official character and merit deserves.

Resolved, That the Secretary forward a copy of the foregoing preamble and resolutions to the proper department of the Confederate States of America, having jurisdiction in the premises.

Mr. Bartow moved to refer the same to the Committee on Military Affairs.

The motion did not prevail, and the preamble and resolutions were adopted.

Leave of absence was granted to Messrs. Hill, of Hart, and McGriff.

Mr. Cobb moved that when the Convention proceed to consider the order of the day for tomorrow, it do so in secret session.

The motion prevailed.

The Convention then adjourned till four o'clock P. M.

FOUR O'CLOCK, P. M.

The Convention met pursuant to adjournment.

Mr. Hawkins asked leave of absence for the balance of the day, for the Committee on the Organization of the Congressional Districts.

The leave of absence was granted.

Mr. Phinizy, of Monroe, offered the following resolution, which was taken up, read, and laid on the table for the present:

Resolved, That this Convention will adjourn on Friday, the 22nd inst.

Mr. Bartow, from the Committee on Military Affairs, laid on the table the following ordinance, which was taken up, read twice, and adopted:

AN ORDINANCE

To transfer to the Government of the Confederate States, certain arms and munitions of war, and for other purposes.

The people of Georgia, in Convention assembled, do ordain:

SECTION 1st. That the control of all military operations in this State, having reference to or connection with questions between this State, or any of the Confederate

States of America, and powers foreign to them, is hereby transferred to the Government of the Confederate States of America.

SEC. 2d. That the State of Georgia hereby transfers to the Government of the Confederate States of America, the arms and munitions of war, acquired from the United States, with the Forts and Arsenals, and which are now in the said Forts and Arsenals.

SEC. 3d. That the Governor of this State is hereby authorized to transfer to the Government of the Confederate States, such arms, munitions of war, vessels or steamers belonging to the States, as in his judgment may be expedient, and upon such terms as may be agreed on with the said Government of the Confederate States.

SEC. 4th. The transfer herein provided for, shall be conducted on the part of this State by the Governor thereof, the Government of the Confederate States undertaking to account for all such arms and munitions of war, as are hereby transferred.

He, also, from the same Committee, reported the following ordinance, which was taken up, read twice, and adopted.

AN ORDINANCE

To transfer to the Provisional Government of the Confederate States of America, the use and occupancy of the Forts, Arsenals, Navy Yards, Custom Houses, and other public sites, within the limits of this State.

The people of Georgia, in Convention assembled, do ordain, That the Government of the Confederate States

of America is hereby authorized to occupy, use, and hold possession of all Forts, Navy Yards, Arsenals, Custom Houses, and other public sites, with their appurtenances within the limits of this State, and lately in the possession of the United States of America, and to repair, rebuild, and control the same at its discretion, until this Ordinance be repealed by a Convention of the people of this State.

Mr. Bartow laid on the table, the following memorial, which was read :

To the Honorable, the President, and Members of the Georgia Convention :

The petition of the undersigned respectfully sheweth unto your honorable body, that by an ordinance passed on the ----- day ----- A. D. 1861, the Governor of Georgia was authorized to receive and commission into the service of this State, all officers of the Army and Navy, members of the Army and Navy of the United States who should resign, and tender their services to the Governor of this State.

That under the construction placed upon the ordinance by His Excellency the Governor it appears that the services of your petitioner who recently resigned the position of Captain in the United States Navy, can not, under said ordinance be accepted, and for this reason :

The ordinance referred to, appears to contemplate the appointment of only such officers as should resign from the *active list* of the United States Army and Navy, and from that list resigned his position of Captain as aforesaid.

Your petitioner respectfully submits, that at his own request, he was placed upon the reserve list. That he is not an invalid, but in the possession of sound health, and ready and able to perform any and every service which may be required of him, either at sea or upon shore. That he has been for more than fifty years actively engaged in the Naval service of the United States. That he is a native Georgian, and very desirous of again serving his State in her sovereign capacity, or as a Naval officer in the Confederate Navy.

And your petitioner would further show unto your honorable body, that the reason why a retired list is used, is simply, where there is a redundancy of officers, and where advanced officers have for a long time been actively engaged in the service, leave of absence is granted to such officers, in order to afford opportunity for recruiting themselves, and also to permit young officers to see the service, which will prepare them for any and every emergency.

And your petitioner would most respectfully and earnestly request that your honorable body would authorize His Excellency the Governor to receive your petitioner into the service of the State, upon the same terms, and with the same rank with the position in the United States Navy, from which your petitioner recently resigned.

And your petitioner hereby expresses himself ready and anxious to do and perform any and every service that may be required of him.

And your petitioner will earnestly request that such

a construction may be placed upon the said ordinance, as will relieve your petitioner from its application, and further that His Excellency the Governor of Georgia may be enabled under and by said ordinance and its provisions, to receive into the service of the State your petitioner in the manner within indicated.

And your petitioner as in duty bound will ever pray,
etc. (Signed)

THOS. M. NEWELL,

Late Captain of the U. S. Navy.

Savannah, March 19th, 1861.

He then offered the following resolution, which was taken up and read:

Resolved, That officers of the Navy on the retired list, shall be placed on the same footing as those on the active list, under the provisions of an ordinance entitled an ordinance concerning officers of the Army and Navy heretofore passed by this Convention.

On motion of Mr. Kenan, the resolution was laid on the table.

On motion of Mr. Alexander, of Upson, the Convention then adjourned till ten o'clock tomorrow morning.

THURSDAY, MARCH 21, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Low.

A quorum being present, the Journal was read, when Mr. Tidwell moved to reconsider so much of the Journal of yesterday, as relates to the adoption of the report of the Committee to organize the Senatorial Districts of the State, in relation to the rejection of his amendment, upon the adoption of the ordinance reported by said Committee.

The motion was lost.

Mr. Briscoe, from the Committee on Enrollment made the following report, to-wit:

Mr. President:

The Committee on Enrollment report as duly enrolled, and ready for the signature of the President—

AN ORDINANCE

To transfer to the Provisional Government of the Confederate States of America, the use and occupancy of the Forts, Arsenals, Navy Yards, Custom Houses, and other public sites, within the limits of this State.

Also,

AN ORDINANCE

To transfer to the Government of the Confederate States, certain arms and munitions of war, and for other purposes.

Both of which were signed by the President, and deposited in the office of the Secretary of State.

On motion of Mr. Cobb the Convention went into secret session, and having spent some time therein, adjourned on the motion of Mr. Cobb, till tomorrow morning at nine o'clock.

FRIDAY, MARCH 22, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Williamson.

A quorum being present, the Journal was read.

When leave of absence was granted to Mr. Stephens, of Monroe, and Messrs. Ramsey and Munnerlyn, who have been ordered to Pensacola with thier companies, and also to Mr. Garvin, of Richmond.

Mr. Hull announced that he was authorized and requested by George Younge, Esq., the Superintendent of the Georgia Railroad, at Augusta, to tender the use of that road free of charge, to returning members and officers of the Convention.

On motion of Mr. Cobb, the Convention went into secret session, and having spent some time therein, adjourned till ten o'clock tomorrow morning.

SATURDAY, MARCH 23, 1861.

The Convention met pursuant to adjournment, and was opened with prayer by the Rev. Mr. Landrum.

A quorum being present, the Journal was read.

The Convention then went into secret session, and having spent some time therein, adjourned at night, *sine die*.

IN SECRET SESSION AT SAVANNAH.

SAVANNAH, MARCH 8, 1861.

The Convention, being in secret session, on motion of Mr. Rice, took up the following resolution:

Resolved, That a "Committee of Seven" be appointed to examine into the condition of the defences of the city of Savannah and its approaches; to enquire what additional defence, if any, may be necessary, and to report to this Convention at the earliest possible day.

Mr. Styles moved to amend the same by inserting after the word "*approaches*," the following: "*and along the coast of Georgia*."

The motion was lost.

Mr. Shropshire, of Floyd, offered the following as a substitute for the foregoing resolution:

Resolved, That His Excellency the Governor of this State, be requested to communicate to this Convention all the information in his possession relative to the condition of the defences of the State.

Which, on motion of Mr. Briscoe, was amended by adding the following:

“And that a Committee of seven be appointed to examine into the condition of the defences of Savannah and its approaches; to enquire what additional defence, if any, may be necessary, and report thereon to this Convention at the earliest possible day.”

On motion of Mr. Harris, of Glynn, the same was further amended by adding the following:

“An additional Committee of Seven to enquire into the whole coast of the State.”

The substitute as amended, was received, when Mr. Styles moved that the Convention do now adjourn.

The motion was lost.

Mr. Roddey called for the “*previous question*,” which being seconded and sustained, the main question was put,

to-wit; upon the passage of the original resolution of Mr. Rice, which was carried.

So the resolution was adopted.

The Convention then adjourned till eleven o'clock tomorrow morning.

FRIDAY, MARCH 15, 1861.

The Convention met in secret session, Mr. Hull in the Chair, when the following communication from His Excellency, Governor Brown, was taken up, read, and,

On motion of Mr. Glenn, of Fulton, was referred to the "Committee on Military Affairs," to-wit:

SAVANNAH, March 15th, 1861.

To the Convention:

While in session at Milledgeville, an ordinance was passed by the Convention, which made it my duty to raise two regiments of regular troops in Georgia; which regiments were expected to be turned over to the General Government of the seceding States when formed, and to become a part of the regular Army of the Confederacy. The ordinance made it my duty, as far as practicable, to officer the regiments with Georgians, who were lately officers in the United States Army, and who had or might resign, with the patriotic purpose of entering the service of this State. I was also directed to observe the relative rank of all such officers.

In obedience to the commands of the Convention, I proceeded as fast as possible, with the organization of the regiments. In the selection of officers, I not only appointed every officer of the United States Army from Georgia, who had at the time resigned, but I appointed every one on the active list in the Army and Navy from Georgia. Some were in Oregon or Washington Territory, some on the coast of Africa, and one probably in India. These had not resigned, but I felt it my duty to reserve a place for each of them, till he could be heard from. I preserved the relative rank of each, by appointing no one of a lower grade, over any one of a higher grade; and I advanced each as far as it was in my power to do. The whole number however, was not sufficient to officer the two regiments. I was obliged, therefore, to fill part of the places with gentlemen from civil life. This I did by the appointment of such gentlemen as were, in my judgment, best qualified for the discharge of the duties of the respective positions assigned them. I may be here excused for remarking, that my conduct has been criticised and censured by some, because I appointed certain gentlemen from civil life, to higher positions than I give some of the officers of the Army.

It is true that I have appointed gentlemen who were not officers of the United States Army, to higher positions than I have given to some who were officers of the Army. Had I pursued a different course, and appointed no one from civil life, till I had given each Army officer a place; I must have excluded gentlemen of anything like high position, who had age and experience, from any place in the regiments, as they could not have accepted positions below the lowest grade of Army officers. As an instance,

I appointed Gen. Charles J. Williams, of Muscogee, who served with distinction in the war with Mexico, is the present Speaker of the House of Representatives of the State, and a Brigadier-General, to the position of Lieutenant-Colonel of the first Regiment; and Col. E. W. Chastain, a member of this Convention, who has been a Representative in the Congress of the late United States, from this State, and who commanded a regiment in the Florida war, as Lieutenant-Colonel of the Second Regiment. I certainly could not, with any degree of propriety, have tendered either of these gentlemen a place below a young gentleman recently graduated at West Point, who occupied the position of a Second Lieutenant only, in the United States Army.

I might mention other instances when such an appointment would have been equally improper. Had I refused to appoint any gentleman of position similar to those above mentioned, and given all the first places to Army officers, I must have filled all the remaining places with young gentlemen from civil life, who had but little experience. The result would have been, that the Army officers and the young gentlemen appointed from civil life, would have been alike in a great measure, strangers to our people; and could not probably have enlisted the regiments in two years. Indeed I may say, that nearly all the recruits obtained thus far, have been enlisted by officers appointed from civil life. Most of the recruits have enlisted because they knew those gentlemen, had confidence in them, and were willing to serve under them. They would not have enlisted under Army Officers or strangers.,

Between four and five hundred recruits have already been obtained, and others are coming in daily. Justice to them requires that they be permitted to go under those on the faith of whose command they enlisted, or that they be discharged. It has frequently been remarked that the appointments made by me, would not be recognized by the President. I have organized the regiments and made the appointments under the direction of the Convention of the people of this State, and must submit the question back to the authority under which I have acted, for instruction in the premises, in case the action of the authorities in this State is not recognized.

I am informed by a member of the Convention, who had an interview with the President, that the regiments will be received for the three years for which they enlisted, but that the officers will not be accepted as permanent officers of the Army of the Confederate States. It is for the Convention to say upon what terms they will consent to have these regiments and their officers received.

I have tendered them to the Secretary of War, and am prepared to follow any instructions which the representatives of the people, under whose authority I have acted, may think proper to give.

It will be borne in mind by the members of the Convention, that the Legislature at its last session, authorized the Governor to accept the services of ten thousand volunteers. The Government of the Confederate States has assumed control of all military operations, which are to be conducted against foreign powers within the limits of any of the Confederate States. The State has re-

served to itself, however, the right to repel invasion, and to use military force in case of invasion or imminent danger thereof.

If we should be suddenly attacked by a large force, the first law of nature might require that we meet and expel the invaders without delay. In such an event, a thorough organization of the Volunteer force of the State, would be indispensable to prompt action. With a view to secure such organization, I have appointed, Colonel Henry R. Jackson, of Chatham, Major-General of the first division of Volunteer forces, and Paul J. Semmes, of Muscogee, and William Phillips, of Cobb, Brigadier-Generals.

Col. William H. T. Walker, late of the United States Army, who has rendered most distinguished service on so many battle-fields, has also been appointed Major-General of the second division. The first division will be organized as speedily as possible, and the officers called together for the purpose of drill; after which they will be ordered to hold the troops under their command in readiness as minute men, to be called into active service, should a sudden invasion, or a call from the Government of the Confederate States render it necessary. The companies will not, however, be taken into the pay of the State, till they are required for active service.

My sincere desire is to render to the Government of the Confederate States, all the assistance in my power, in the prosecution of the noble work in which the representatives of a free and independent people are engaged. We must remember, however, that the government has but recently been formed, and that time is necessary to

the full development of its resources and the manifestation of its power. In the mean time, the State authorities should be actively engaged in preparation for self-defence, and should leave nothing undone which is necessary to advance the common cause in which we are all so vitally interested. I shall, to the extent of my ability, cheerfully and promptly carry into effect all the instructions which the Convention may think proper to give upon this and other subjects.

I would enter more in detail in regard to our military preparations, but do not think that the public interest could at present be promoted by a public disclosure of plans and operations which, to be successful must necessarily be private.

I respectfully suggest that the Convention authorize me, by the sale of State Bonds, or the use of Treasury notes, or both, to raise and expend such sums of money, in addition to the appropriation made by the Legislature, for military purposes, as the public exigencies may require.

JOSEPH E. BROWN.

Mr. Rice, from the "Committee of Seven," who had been appointed to examine into the condition of the defences of the city of Savannah and its approaches, to enquire what additional defence, if any, was necessary, made the following report, which was taken up, read, and,

On motion of Mr. Bartow, was referred to the "Committee on Military Affairs," to-wit:

The Committee appointed to examine into the condition of the defence of the city of Savannah and its approaches and to enquire what additional defences, if any, may be necessary, having, as far as in their power, performed the duty assigned them, report as follows:

Having examined into the condition of the defences of the city of Savannah and its approaches, and having taken the opinions of persons skilled in such matters as to the sufficiency of those defences, your committee report that the defences of the city of Savannah and its approaches, in their present condition, are entirely inadequate to its protection, and could not resist a strong hostile attack. This inadequacy of these defences arises mainly from a want of cannon, and especially from the want of guns of large calibre and long range. We are assured by those skilled in the science of defensive operations, that with a sufficiency of guns of the right kind, the defences could soon be rendered complete. The great difficulty has been and continues to be, in procuring such guns as are needed for the defences. We learn from His Excellency the Governor of the State, that he had a contract with an Iron Company in Pittsburg, Pa., for a number of such guns as are most needed, but that when the guns were made such was the prejudice of the people of that city against the seceding States, that the contractors declined delivering the guns and abandoned the contract. This delayed the obtaining the needed supply of guns. The Governor informs your committee that he is now procuring a supply of such guns as are most needed from the Iron Works in the State of Virginia, as fast as the same can be manufactured and forwarded. The Government of the Confederacy having given notice to the

States of the Confederacy that it will take charge of all Forts, Arsenals, etc., and of all military operations, it might seem to be the duty of that government to provide for the defence of Savannah, and all exposed points of our State.

When, however, we recollect that the Government of the Confederacy is, as yet, only a provisional government, that it has just been organized, and is as yet without money and the means of providing for the common defence of all the States, except as the money is furnished to it by the States, and that the State of Georgia must, therefore, from the necessity of the case furnish the money to provide for her own defence, your committee think that the surest and the best way of doing so will be for the State to continue to purchase all the guns that may be needed for the defence of the State. These guns will then be the property of the State, and if at any time hereafter it should be deemed advisable that the same should be turned over to the government of the Confederacy, after a permanent government is formed, and that the government can receive and account for the guns on such terms as may be agreed on between this State and the Confederate government. Your Committee would, therefore, recommend the passage of an ordinance authorizing and instructing the Governor of this State to continue to purchase as fast as the same can be procured, all such guns as are or may be necessary for the defence of Savannah and its approaches, as well as for the defence of any other points on our seaboard, when the same may be needed.

It is of the first importance that we make sure the defence of our own State. Such moneys, therefore, as

are intended for that purpose had best be applied directly to that purpose by our State.

In connection with the foregoing, your Committee further state that the present want of cannon for our defences, and the difficulty of procuring them, led your Committee into the consideration of the propriety of the adoption by the State of some measure by which an early and sure supply of arms may be obtained by the State. At present the State is as above mentioned, procuring cannon from the Iron Works in the State of Virginia. The present indications are that Virginia will, at least for some time, remain in the United States. If hostilities should occur between the United States and this Confederacy, the owner of those works in Virginia could not continue to furnish us with guns without a violation of the laws of the United States. There would, therefore, be great danger, in case war should occur between the United States and this Confederacy, that our supply guns would be cut off at the very time when we might need them most. We could not, then, supply ourselves from Europe, because guns would then become contraband articles.

It is therefore a matter of the greatest importance that we adopt measures to secure a supply of large guns (and the same may be said of all munitions of war) by having the same manufactured in our own State. To accomplish this object, good policy as well as economy dictate the importance of our encouraging any person or persons who may be disposed to do so, to erect works for the manufacture of cannon, &c. The erection of such works would require capital, and men of capital will hesitate about embarking their capital in what would be

in this State a new business, unless in some way secured against the probability of loss. For these reasons and many others which we could urge, your committee recommend that encouragement be given to the erection of works in this State for the manufacture of cannon,, by the offer of a bonus to any person or company who shall, at the earliest day, erect works in this State for the manufacture and casting of cannon, and who shall agree to furnish the State at reasonable prices, such number of "Columbiads," and other cannon as the State may require. We recommend that the bonus be offered for the casting of "Columbiads," because that is the gun most needed for our defences. We feel assured that if the payment of such a bonus secure the State a supply of such guns as the State needs, it will be money well spent. We therefore recommend the passage of the "ordinance" herewith submitted.

AN ORDINANCE

To encourage the manufacture of cannon in this State.

Be it ordained, by the people of the State of Georgia by their delegates in Convention assembled, and it is hereby ordained,

That the Governor of this State be, and he is hereby authorized to offer a bonus not exceeding ten thousand dollars to any person or company who shall erect a foundry in this State for the casting of cannon, and who shall at the earliest day manufacture a ten-inch "Columbiad," and shall agree to furnish thereafter the State at reasonable prices as many such guns and other

large guns as shall be required by the State, at the rate of three guns per week, or other such number as may be agreed on, provided that said gun and guns shall be subject to inspection by a competent officer appointed by the Governor for that purpose.

The Convention then adjourned till ten o'clock to-morrow morning.

THURSDAY, MARCH 21, 1861.

The Convention met in secret session, when Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, to whom was referred the revision of the Constitution of the State, made the following report:

THE
CONSTITUTION
OF
THE STATE OF GEORGIA.

ARTICLE I.

DECLARATION OF FUNDAMENTAL PRINCIPLES

1. That the fundamental principles of Free Government can not be too well understood, nor too often recurred to.

2. God has ordained that men shall live under government; but as the forms and administration of civil government are inhuman, and therefore, fallible hands, they may be altered, or modified whenever the safety or happiness of the governed requires it. No government should be changed for light or transient causes; nor unless upon reasonable assurance that a better will be established.

3. Protection to person and property is the duty of Government; and a Government which knowingly and persistently denies, or withholds from the governed such protection, when within its power, releases them from the obligation of obedience.

4. No citizen shall be deprived of life, liberty or property, except by due process of law; and of life or liberty, only by the judgment of his peers.

5. The writ of "*Habeas Corpus*" shall not be suspended, unless in case of rebellion or invasion, the public safety may require it.

6. The right of the people to keep and bear arms shall not be infringed.

7. No religious test shall be required for the tenure of any office; and no religion shall be established by law; and no citizen shall be deprived of any right or privilege by reason of his religious belief.

8. Freedom of thought and opinion, freedom of speech, and freedom of the press, are inherent elements of political liberty. But while every citizen may freely

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speak, write and print, on any subject, he shall be responsible for the abuse of the liberty.

9. The right of the people to appeal to the courts; to petition Government on all matters of legitimate cognizance; and peaceably to assemble for the consideration of any matter of public concern—shall never be impaired.

10. For every wrong there should be provided a remedy; and every citizen ought to obtain justice without purchase, without denial, and without delay—conformably to the laws of the land.

11. Every person charged with an offense against the laws of the State shall have the privilege and benefit of counsel:

Shall be furnished, on demand, with a copy of the accusation, and with a list of the witnesses against him:

Shall have compulsory process to obtain the attendance of his own witnesses:

Shall be confronted with the witnesses testifying against him; and

Shall have a public and speedy trial by an impartial jury.

12. No person shall be put in jeopardy of life or liberty more than once for the same offence.

13. No conviction shall work corruption of blood, or general forfeiture of estate.

14. Excessive bail shall not be required; nor excessive fines imposed, nor cruel and unusual punishments inflicted.

15. The power of the courts to punish for contempt shall be limited by Legislative Acts.

16. A faithful execution of the laws is essential to good order; and good order in society is essential to liberty.

17. Legislative Acts in violation of the fundamental law are void; and the Judiciary shall so declare them.

18. *Ex post facto* laws, and laws impairing the obligation of contracts, and retro-active legislation injuriously affecting the right of the citizen, are prohibited.

19. Laws shall have a general operation; and no general law shall be varied in a particular case by special Legislation; except with consent of all persons to be affected thereby.

20. The right of taxation can be granted only by the people; and shall be exercised only to raise revenue for the support of Government, to pay the public debt; to provide for the common defence, and for such other purposes as are specified in the grant of powers.

21. In cases of necessity, private ways may be granted upon just compensation being first paid; and with this exception, private property shall not be taken except for public use; and then, only upon just compensation; such compensation, except in cases of pressing necessity, to be first provided and paid.

22. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place or places to be searched, and the persons and things to be seized.

23. Martial law shall not be declared, except in cases of extreme necessity.

24. Large standing armies, in time of peace, are dangerous to liberty.

25. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by law.

26. The person of a debtor shall not be detained in prison after delivering *bona fide* all his estate for the use of his creditors.

27. All powers not delegated to the Government expressly, or by necessary implication are reserved to the people of the State; and in all doubtful cases the denial of the grant is the ground safest for the liberty of the people.

28. The enumeration of rights herein contained shall not be construed to deny to the people any inherent rights which they have hitherto enjoyed.

29. This declaration is a part of this Constitution, and shall never be violated on any pretence whatever.

ARTICLE II.

SECTION 1.

1. The Legislative, Executive and Judicial Departments shall be distinct; and each department shall be confided to a separate body of magistracy. No person or collection of persons, being of one department, shall exercise any power properly attached to either of the others; except in cases herein expressly provided.

2. The Legislative power shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

3. The meeting of the General Assembly shall be annual, and on the first Wednesday in November, until such day of meeting shall be altered by law. A majority of each House shall constitute a quorum to transact business; but a smaller number may adjourn from day to day, and compel the attendance of their members in such manner as each House shall prescribe. No session of the General Assembly shall continue for more than forty days, unless the same shall be done by a vote of two-thirds of each branch thereof.

4. The compensation of the members and officers of the General Assembly shall be fixed by law, at the first session, subsequent to the adoption of this Constitution: and the same shall not be increased so as to affect the compensation of the members or officers of the Assembly by which the increase is adopted.

5. No person holding any military commission or other appointment, having any emolument or compensation annexed thereto, under this State or the Confederate States, or either of them, (except Justices of the Inferior Court, and Justices of the Peace and officers of the militia), nor any defaulter for public money, or for legal taxes required of him, shall have a seat in either branch of the General Assembly; nor shall any Senator or Representative, after his qualifications as such, be elected to any office or appointment by the General Assembly having any emoluments or compensation annexed thereto, during the time for which he shall have been elected.

6. No person convicted of any felony before any Court of this State, or of the Confederate States, shall be eligible to any office or appointment of honor, profit or trust, within this State.

7. No person who is a collector or holder of public money, shall be eligible to any office in this State, until the same is accounted for and paid into the Treasury.

SECTION 2.

1. The Senate shall consist of forty-four members, one to be chosen from each Senatorial District, which District shall be composed of three contiguous counties. If a new county is established, it shall be added to a District which it adjoins until there shall be another arrangement of the Senatorial Districts. The Senatorial Districts shall not be changed by the Legislature, except when a new census shall have been taken.

2. No person shall be a Senator who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States, and have been for three years citizen of the Confederate States, and have ben for three years an inhabitant of this State.

3. The presiding officer shall be styled the President of the Senate, and shall be elected by ballot, from their own body.

4. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment, in cases of impeachment, shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit or trust within this State; but the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION 3.

1. The House of Representatives.

2. No person shall be a Representative who shall not have attained the age of twenty-one years, and be a citizen of the Confederate States, and have been for three years an inhabitant of this State.

3. The presiding officer of the House of Representatives shall be styled the Speaker, and shall be elected by ballot from their own body.

4. They shall have the sole power to impeach all persons who have been or may be in office.

5. All bills for raising revenue, or appropriating money, shall originate in the House of Representatives; but the Senate may propose or concur in amendments, as in other bills.

SECTION 4.

1. Each House shall be the judge of the election, returns, and qualifications of its own members; and shall have the power to punish them for disorderly behavior or misconduct, by censure, fine, imprisonment or expulsion; but no member shall be expelled except by a vote of two-thirds of the House from which he is expelled.

2. Each House may punish, by imprisonment not extending beyond the session, any person not a member, who shall be guilty of a contempt, by any disorderly behavior in its presence; or who, during the session, shall threaten injury to the person or estate of any member, for anything said or done in either House; or who shall assault any member therefor; or who shall assault or arrest any witness going to or returning therefrom; or who shall rescue, or attempt to rescue, any person arrested by order of either House.

3. The members of both Houses shall be free from arrest, except for treason, felony, or breach of the peace, during their attendance on the General Assembly, and in going to and returning therefrom. And no member shall be liable to answer, in any other place, for anything spoken in debate in either House.

4. Each House shall keep a Journal of its proceedings, and publish them immediately after its adjournment. The yeas and nays of the members on any question, shall, at the desire of one-fifth of the members present, be entered on the Journals. The original Journals shall be preserved (after publication) in the office of the Secretary of State, but there shall be no other record thereof.

5. Every bill, before it shall pass shall be read three times on three separate and distinct days in each House, unless in case of actual invasion or insurrection. Nor shall any law or ordinance pass which refers to more than one subject matter, or contains matter different from what is expressed in the title thereof.

6. All Acts shall be signed by the President of the Senate and the Speaker of the House of Representatives; and no bill, ordinance, or resolution intended to have the effect of law, which shall have been rejected by either House, shall be again proposed under the same or any other title, without the consent of two-thirds of the House by which the same was rejected.

7. Neither House shall adjourn for more than three days, nor to any other place, without the consent of the other; and in case of disagreement between the two Houses, on a question of adjournment, the Governor may adjourn them.

8. Every Senator and Representative, before taking his seat, shall take an oath or affirmation to support the Constitution of the Confederate States and of this State, and also, that he hath not practiced any unlawful means,

either directly or indirectly, to procure his election. And every person victed of having given or offered a bribe, shall be disqualified from serving as a member of either House for the term for which he was elected.

9. Whenever this Constitution requires an Act to be passed by two-thirds of both Houses, the yeas and nays on the passage thereof shall be entered on the Journal of each.

SECTION 5.

1. The General Assembly shall have power to make all laws and ordinances, consistent with this Constitution and not repugnant to the Constitution of the Confederate States, which they shall deem necessary and proper for the welfare of the State.

2. They may alter the boundaries of counties, and lay off and establish new counties; but every bill to establish a new county shall be passed by at least two-thirds of the members present, in each branch of the General Assembly.

3. They shall provide for the taking of a census or enumeration of the people of this State, at regular decades of years, commencing at such times as they may prescribe.

4. The General Assembly shall have power to appropriate money for the promotion of learning in one or more seminaries, and to provide for the education of the people.

5. The General Assembly shall have power to grant pardons in cases of convictions for treason, or murder.

SECTION 6.

1. The General Assembly shall have no power to grant corporate powers and privileges to private companies, except to banking, insurance, railroad, canal, plank road, and telegraph companies; nor to make or change election precincts; nor to establish bridges and ferries; nor to change names, or legitimize children; but shall by law prescribe the manner in which such power shall be exercised by the courts. But no bank charter shall be granted or extended, and no Act passed authorizing the suspension of specie payment by any chartered bank, except by a vote of two-thirds of both branches of the General Assembly.

2. No money shall be drawn from the Treasury of this State, except by appropriation made by law, and a regular statement and account of the receipt and expenditure of all public money shall be published from time to time.

3. No vote, resolution, law or order shall pass, granting a donation or gratuity in favor of any person, except by the concurrence of two-thirds of the General Assembly.

4. No law shall be passed by which a citizen shall be compelled, directly or indirectly, to become a stockholder in or contribute to a railroad or other work of internal improvement, without his consent, except the inhabitants of a corporate town or city, where the improvements are to be made within the corporate limits, or for corporate purposes. This provision shall not be construed to deny the power of taxation for the purpose of making levees or dams to prevent the overflow of rivers.

5. The General Assembly shall not, except by a vote of two-thirds of both branches, by the loan of money, or bonds or in any other way, pledge the funds or credit of the State for any purpose except the support of the Government.

SECTION 7.

1. The importation or introduction of negroes from any foreign country, other than the slave-holding States or Territories of the United States of America, is forever prohibited.

2. The General Assembly may prohibit the introduction of negroes from any State; but they shall have no power to prevent immigrants from bringing their slaves with them.

3. The General Assembly shall have no power to pass laws for the emancipation of slaves, without the consent of each of their respective owners, previous to such emancipation.

4. Any person who shall maliciously kill or maim a slave, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person.

ARTICLE III.

SECTION 1.

1. The executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until such time as a successor shall be chosen and

qualified. He shall have a competent salary fixed by law, which shall not be increased or diminished during the period for which he shall have been elected; neither shall he receive, within that period, any other emolument from the Confederate States, or either of them, or from any foreign power.

2. The Governor shall be elected by the persons qualified to vote for the members of the General Assembly, on the first Wednesday in October, in the year of our Lord 1861; and on the first Wednesday in October in every second year thereafter, until such time be altered by law; which election shall be held at the places of holding general elections, in the several counties of this State, in the manner prescribed for the election of the members of the General Assembly. The returns for every election of Governor shall be sealed up by the managers separately from other returns, and directed to the President of the Senate and Speaker of the House of Representatives; and transmitted to the Governor, or the person exercising the duties of Governor for the time being; who shall, without opening the said returns, cause the same to be laid before the Senate, on the day after the two Houses shall have been organized; and they shall be transmitted by the Senate to the House of Representatives. The members of each branch of the General Assembly shall convene in the Representative chamber, and the President of the Senate, and the Speaker of the House of Representatives, shall open and publish the returns in the presence of the General Assembly; and the person having the majority of the whole number of votes given in, shall be declared duly elected Governor of this State; but if no person have such majority, then

from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for the Legislature to elect, the General Assembly shall immediately elect a Governor by joint ballot, and in all cases of election of a Governor by the General Assembly, a majority of the votes of the members present shall be necessary for a choice. Contested elections shall be determined by both Houses of the General Assembly, in such manner as shall be prescribed by law|

3. No person shall be eligible to the office of Governor who shall not have been a citizen of the Confederate States twelve years, and an inhabitant of this State six years, and who hath not attained the age of thirty years.

4. In case of the death, resignation, or disability of the Governor, the President of the Senate shall exercise the executive powers of the Government until such disability be removed, or a successor is elected and qualified. And in case of the death, resignation, or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the executive power of Government until the removal of the disability of the election and qualification of a Governor.

5. The Governor shall, before he enters on the duties of his office, take the following oath or affirmation "I do solemnly swear or affirm (as the case may be) that I will faithfully execute the office of Governor of the State of Georgia; and will, to the best of my abilities, preserve, protect and defend the Constitution thereof."

SECTION 2.

1. The Governor shall be the Commander-in-Chief

of the army and navy of this State, and of the militia thereof.

2. He shall have power to grant reprieves for offences against the State, except in cases of impeachment, and to grant pardons, or to remit any part of a sentence, in all cases after conviction, except for treason or murders, in which cases he may respite the execution, and make report thereof to the next General Assembly.

3. He shall issue writs of election to fill vacancies that happen in the Senate or House of Representatives, and shall have power to convene the General Assembly on extraordinary occasions; and shall give them, from time to time, information of the State of the Republic, and recommend to their consideration such measures as he may deem necessary and expedient.

4. When any office shall become vacant by death, resignation, or otherwise, the Governor shall have power to fill such vacancy, and persons so appointed shall continue in office until a successor is appointed agreeably to the mode pointed out by this Constitution, or by law in pursuance thereof.

5. A person once rejected by the Senate shall not be re-appointed by the Governor to the same office.

6. The Governor shall have the revision of all bills passed by both Houses, before the same shall become laws, but two-thirds of each House may pass a law notwithstanding his dissent; and if any bill should not be returned by the Governor within five days (Sundays excepted) after it has been presented to him, the same

shall be a law, unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation and disapprove any other appropriation in the same bill, and the latter shall not be effectual unless passed by two-thirds of both Houses.

7. Every vote, resolution, or order, to which the concurrence of both Houses may be necessary, except on a question of adjournment, shall be presented to the Governor; and before it shall take effect, be approved by him, or being disapproved, shall be re-passed by two-thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

8. There shall be a Secretary of State, a Comptroller-General, a Treasurer, and Surveyor-General, elected by the General Assembly, and they shall hold their offices for the like period as the Governor, and shall have a competent salary, which shall not be increased or diminished during the period for which they shall have been elected. The General Assembly may at any time consolidate any two of these offices, and require all the duties to be discharged by one officer.

9. The Great Seal of the State shall be deposited in the office of the Secretary of State, and shall not be affixed to any instrument of writing, but by order of the Governor or General Assembly; and the General Assembly shall, at their first session, after the rising of this Convention, by law cause the Great Seal to be altered.

10. The Governor shall have power to appoint his own Secretaries, not exceeding two in number.

ARTICLE IV.

SECTION 1.

1. The Judicial powers of this State shall be vested in a Supreme Court for the correction of errors, a Superior, Inferior, and Justices Court, and in such other courts as the General Assembly shall from time to time ordain and establish.

2. The Supreme Court shall consist of three Judges, who shall be appointed by the Governor with the advice and consent of two-thirds of the Senate, for such term of years as shall be prescribed by law, and shall continue in office until their successors shall be appointed and qualified, removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

3. The said court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors in law and equity from the Superior Courts of the several circuits, and shall sit at least once a year, at a time prescribed by law, in each of one or more judicial districts, designated by the General Assembly for that purpose, at such point in each district as shall by the General Assembly be ordained, for the trial and determination of writs of error from the several Superior Courts included in such judicial districts.

4. The said Court shall dispose of and finally determine every case on the docket of such court at the first or second term after such writ of error brought; and in case the plaintiff in error shall not be prepared at the

first term of such court after error brought, to prosecute the cause, unless precluded by some providential cause from such prosecution, it shall be stricken from the docket, and the judgment below shall stand affirmed.

SECTION 2.

1. The Judges of the Superior Courts shall be appointed in the same manner as the Judges of the Supreme Court from the circuits in which they are to serve, for the term of six years, and shall continue in office until their successors shall be appointed and qualified, removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

2. The Superior Court shall have exclusive jurisdiction in all cases of divorce, both total and partial; but no total divorce shall be granted, except on the concurrent verdicts of two special juries. In each divorce case, the court shall regulate the rights and disabilities of the parties.

3. The Superior Court shall also have exclusive jurisdiction in all criminal cases, except as relates to people of color, fines for neglect of duty, and for contempt of court; for violations against road laws, and for obstructing water courses, which shall be vested in such judicature or tribunal as shall be or may have been pointed out by law; and except in all other minor offences committed by free white persons, and which do not subject the offender or offenders to loss of life, limb or member, or to confinement in the penitentiary; in all such cases, Corporation Courts, such as now exists, or may here-

after be constituted, in any incorporated city, or town, may be vested with jurisdiction, under such rules and regulations as the Legislature may hereafter by law direct.

4. All criminal cases shall be tried in the county where the crime was committed, except in cases where a jury can not be obtained.

5. The Superior Court shall have exclusive jurisdiction in all cases respecting titles to land, which shall be tried in the county where the land lies.

6. It shall have appellate jurisdiction in all such cases as may be provided by law.

7. It shall have power to correct errors in inferior judicatories by writ of *certiorari*, and to grant new trials in the Superior Court on proper and legal grounds.

8. It shall have power to issue writs of mandamus, prohibition, scire facias, and all other writs which may be necessary for carrying its powers fully into effect.

9. The Superior and Inferior Courts shall have concurrent jurisdiction in all other civil cases; which shall be tried in the county where the defendant resides.

10. In cases of joint obligors, or joint promissors or co-partners, or joint trespassers residing in different counties, the suit may be brought in either county.

11. In case of a maker and indorser or indorsers of promissory notes residing in different counties in this

State, the same may be sued in the county where the maker resides.

12. The Superior and Inferior Courts shall sit in each county twice in every year, at such stated times as have been or may be appointed by the Legislature.

SECTION 3.

1. The Judges shall have salaries adequate to their services fixed by law, which shall not be diminished during their continuance in office; but shall not receive any other perquisites or emoluments whatever, from parties or others, on account of any duty required of them.

2. There shall be a State's Attorney and Solicitors elected by the persons entitled to vote for members of the General Assembly, and commissioned by the Governor; who shall hold their offices for the term of four years, or until their successors shall be elected and qualified, unless removed by sentence or impeachment, or by the Governor, on the address of two-thirds of each branch of the General Assembly. They shall have salaries adequate to their services fixed by law, which shall not be diminished during their continuance in office.

3. The Justices of the Inferior Courts shall be elected in each county by the persons entitled to vote for the members of the General Assembly.

4. The Justices of the Peace shall be elected in each District by the persons entitled to vote for the members of the General Assembly.

5. The powers of a Court of Ordinary and of Probate, shall be vested in an Ordinary for each county, from whose decisions there may be an appeal to the Superior Court, under regulations prescribed by law. The Ordinary shall be *ex-officio* Clerk of said Court, and may appoint a Deputy Clerk. The Ordinary, as Clerk, or his Deputy, may issue citations and grant temporary letters of administration, to hold until permanent letters are granted; and said Ordinary, as Clerk, or his Deputy, may grant marriage licenses. The Ordinaries in and for the respective counties shall be elected, as other county officers are, on the first Wednesday in January, 1864, and every fourth year thereafter, and shall be commissioned by the Governor for the term of four years. In case of any vacancy of said office of Ordinary, from any cause, the same shall be filled by election as is provided in relation to other county officers, and until the same is filled, the Clerk of the Superior Court for the time being shall act as Clerk of said Court of Ordinary.

ARTICLE V.

1. The electors of members of the General Assembly shall be free white male citizens of this State; and shall have attained the age of twenty-one years; and have paid all taxes which may have been required of them, and which they have had an opportunity of paying, agreeably to law, for the year preceding the election; and shall have resided six months within the district or county.

2. All elections, by the General Assembly, shall be by joint ballot of both branches; and when the Senate and House of Representatives unite for the purpose of

electing, they shall meet in the Representative chamber, and the President of the Senate shall in such cases preside, receive the ballots and declare the person or persons elected.

3. In all elections by the people, the electors shall vote by ballot, until the General Assembly shall otherwise direct.

4. All civil officers shall continue in the exercise of the duties of their several offices, during the periods for which they were appointed, or until they shall be superseded by appointments made in conformity with this Constitution; and all laws now in force shall continue to operate, so far as they are compatible with this Constitution, until they shall expire, be altered or repealed; and it shall be the duty of the General Assembly to pass all necessary laws and regulations for carrying this Constitution into full effect.

5. All militia and county officers shall be elected by the people in such manner as the General Assembly may by law direct.

6. This Constitution shall be amended only by a Convention of the people called for that purpose. Such Convention shall consist of not more than one hundred and fifty delegates, and an equal number of delegates shall be chosen from and by each Congressional District as the same may exist at the time.

Which having been made the special order of the day for ten o'clock this morning, was read.

Mr. Garvin offered the following resolution, which was taken up, read, and adopted:

Resolved, That no delegate shall be allowed to speak longer than ten minutes on any question pending before the Convention—this rule to continue in force until the adjournment of this Convention.

On motion of Mr. Cobb, the first Article of the Constitution was taken up and read.

Mr. Bartow moved to strike out the word “*governed*” in the second Section, and insert “*people*.”

Mr. Fouche moved to insert the word “*citizen*” instead of “*people*.”

The motion to strike out did not prevail.

Mr. Benning moved to strike out of the 18th Section the words “*and retroactive legislation injuriously affecting the right of the citizen.*”

The motion was lost.

On motion of Mr. Martin, the 21st Section was re-committed to the reporting Committee, for the purpose of considering the following proposed amendment: “*and carrying water for the purpose of irrigation and drainage, working mines and machinery, shall be placed on the footing of private ways.*”

Mr. Benning moved to re-commit the sixth Section to the reporting Committee.

The motion was lost.

He also moved to strike out of the eighth Section the words "*he shall be responsible for the abuse of the liberty*" and insert the words "*the Legislature shall have the power to declare what shall be an abuse of the privilege.*"

The motion was lost.

Mr. Mabry, of Heard, moved to amend the 26th Section by adding after the word "*estate*" the words "*according to law.*"

The motion was lost.

Mr. Benning moved to re-commit the second clause of the eleventh Section to the reporting Committee, which was lost.

He also moved to re-commit the 17th Section to the reporting Committee, which was lost.

Mr. Johnson moved to strike out the 27th Section, which was lost.

The first Article of the Constitution, as amended, and excepting the references to the Committee, was then adopted.

On motion of Mr. Cobb, the second Article of the Constitution was taken up by Sections.

The first Section having been read, Mr. Kimsey moved to amend the same by striking out the word "*annual*"

in the third clause of said Section, and inserting the word "*biennial*."

The motion was lost.

On motion of Mr. Tidwell, the sixth clause of said Section was re-committed to the reporting Committee.

The second Section having been read, Mr. Reynolds moved to amend the same by adding "*and for one year a resident of the District from which he is chosen.*"

Upon which motion Mr. Arnold demanded that the yeas and nays be recorded. There are yeas 116; nays 112, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|-----------------------|----------------------|
| Adams, of Camden, | Fain, |
| Algood, | Fleming, |
| Arnold, | Ford, |
| Bell, of Forsyth, | Freeman, |
| Bowen, | Frier, |
| Brewton, | French, |
| Briscoe, | Gray, |
| Brown, of Houston, | Hale, |
| Brown, of Marion, | Hall, |
| Burnett, | Harville, |
| Byrd, | Harris, of Glynn, |
| Calhoun, | Hendry, |
| Cannon, of Rabun, | Hendricks, |
| Cannon, of Wayne, | Herrington, |
| Carswell, | Hines, |
| Chastain, | Hood, |
| Corn, | Howell, |
| Davenport, of Sumter, | Hudson, of Gwinnett, |
| Day, | Huggins, |

| | |
|------------------------|------------------------|
| Hull, | Porter, |
| Humphries, | Poullain, |
| Jackson, | Prescott, |
| Johnson, of Clayton, | Price, |
| Johnson, of Jefferson, | Ramsey, of Clinch, |
| Jones, of Burke, | Reynolds, |
| Killgore, | Rice, |
| Kimsey, | Robinson, |
| Kirkland, | Sharman, |
| Knox, | Sharpe, |
| Lattimer, of Appling, | Shell, |
| Lester, | Shropshire, of Floyd, |
| Lindley, | Simmons, of Pickens, |
| Long, | Simms, |
| Lyle, | Singleton, |
| Mabry, of Berrien, | Sirmons, |
| Mabry, of Heard, | Sisk, |
| Martin, of Elbert, | Spence, |
| Martin, of Lumpkin, | Spencer, |
| McDaniel, | Starr, |
| McDonald, | Stephens, of Pierce, |
| McLain, | Street, |
| Means, | Strickland of Tatnall, |
| Mershon, | Styles, |
| Milton, | Taliaferro, |
| Moore, of Bulloch, | Thomas, of Whitfield, |
| Montgomery, | Tillman, |
| Morrow, | Tomlinson, |
| Mounger, | Tucker, of Colquitt, |
| Neal, of Talbot, | Turner, of Wilcox, |
| Newton, | Webb, |
| Overstreet, | Wellborn, |
| Patrick, | West, |
| Phinzy, of Richmond, | Williams, of Harris, |
| Pickett, | Williams, of McIntosh, |
| Pierce, | Winn, of Cobb, |
| Pittman, | Wood, |
| Pofford, | Wright, |
| Ponder, | Young, or Irwin. |

Those who voted in the negative are Messrs.:

| | |
|--------------------------|-------------------------|
| Adams, of Putnam, | Glenn, of Fulton, |
| Alexander, of Fulton, | Glenn, of Oglethorpe, |
| Alexander, of Upson, | Glover, |
| Allen, | Giles, |
| Bailey, | Gordon, |
| Beasley, | Gresham, |
| Beall, of Troup, | Gunn, |
| Benning, | Haines, |
| Black, | Hansell, |
| Blalock, | Harris, of Hancock, |
| Briggs, | Harvey, |
| Brown, of Webster, | Hawkins, |
| Bryan, | Head, |
| Bullard, | Henderson, |
| Bush, | Hill, of Troup, |
| Butts, | Hilliard, |
| Cantrell, | Hoyal, |
| Carson, | Hudson, of Harris, |
| Casey, | Hust, |
| Cheshier, | Johnson, of Hall, |
| Cochran, of Terrell, | Johnson, of Oglethorpe, |
| Cobb, | Jones, of Chatham, |
| Cody, | Jordan, |
| Coleman, | Kenan, |
| Crawford, of Greene, | Ketchum, |
| Crawford, of Richmond, | Lamar, of Lincoln, |
| Daniel, | Lamar, of Bibb, |
| Davis, of Chattahoochee, | Lamb, |
| Davenport, of Clay, | Low, |
| Dewberry, | Logan, |
| Dickerson, | Logue, |
| Farnsworth, | Manson, |
| Fields, | Marshall, |
| Fouche, | McConnell, of Catoosa, |
| Gaulden, | McConnell, of Cherokee, |
| Gardner, | McCulloch, |
| Garvin, | McRae, |

| | |
|-------------------------|--------------------------|
| Moor, of Spalding, | Stephens, of Monroe, |
| Neal, of Columbia, | Stephens, of Taliaferro, |
| Padget, | Strickland, of Forsyth, |
| Paris, | Thomas, of Dooly, |
| Phinizy, of Monroe, | Tidwell, |
| Pitts, | Trippe, |
| Ramsey, of Muscogee, | Troup, |
| Reed, | Tucker, of Laurens, |
| Reese, | Usry, |
| Richardson, of Lee, | Walton, |
| Roddey, | Welchel, |
| Rutherford, | Whitehead, |
| Saffold, | Willingham, |
| Shropshire, of Catoosa, | Williams, of Chattooga, |
| Skelton, | Williamson, |
| Smith, of Johnson, | Willis, |
| Solomons, | Word, |
| Stapleton, | Young, of Gordon, |
| Stephens, of Hancock, | |

So the amendment was received.

On motion of Mr. Cobb, the Convention then adjourned till 9 o'clock tomorrow morning.

FRIDAY, MARCH 22, 1861.

The Convention met in secret session.

The Journal in secret session of yesterday, was read, when Mr. Johnson, of Jefferson, moved to reconsider so much of it, as relates to his motion to strike out the 27th Section of the first Article of the Constitution of the

State of Georgia, as reported by the reporting Committee, and adopted on yesterday.

The motion prevailed.

Mr. Low moved to reconsider so much of the Journal of yesterday, as relates to the incorporation of the first clause of the second Section of the second Article of the Constitution therein, which was offered as an amendment to the report of the Committee, by Mr. Cobb.

The motion was lost.

Mr. Johnson, of Jefferson, then moved to strike out the 27th Section of the first Article of the Constitution, as reported by the Committee, and adopted on yesterday.

The motion prevailed, and the Section was stricken out.

Upon the reading of the third clause of the second Section of the second Article of the Constitution, Mr. Hood moved to strike out the words, "*by ballot*," and insert "*viva voce*."

The motion prevailed.

Mr. Hood moved to strike out the words "*by ballot*" in the third clause of the second Section of the Constitution, and insert "*viva voce*."

The motion prevailed.

The third Section of the second Article of the Constitution was taken up, when Mr. Cobb moved to fill the blank with the following as the first Section thereof.

The House of Representatives shall be composed as follows:

The thirty-seven counties having the largest representative population shall have two Representatives each. Every other county shall have one Representative. The designation of the counties entitled to two Representatives shall be made by the General Assembly immediately after the taking of each census.

The motion was adopted.

On motion of Mr. Reynolds, the second clause of the third Section of the second Article, was amended by adding the words "and for one year a resident of the county which he represents."

On motion of Mr. Cobb, the words "*by ballot*" was stricken out, and "*viva voce*" inserted in lieu thereof, in the third clause of the same Section and Article.

The fourth Section of the second Article was taken up.

On motion of Mr. Cobb, the third clause of the same was so amended so as to strike out after the word "*arrest*" the words "*except for treason, felony, or breach of the peace*" and insert "*therefrom*."

The fifth Section being under consideration, Mr. Johnson, of Jefferson, moved to strike out "*at least two-thirds*," where these words occur in the second clause, and insert "*a majority*," in lieu thereof.

The motion to strike out was lost.

On motion of Mr. Cobb, the words "both branches" where they occur in the said clause, was stricken out, and "each branch" inserted in lieu thereof.

Mr. Fouché moved to strike out, in the fourth clause of the said Section, after the words "*learning, and to provide for the education of the people,*" the words "*in one or more seminaries,*" and insert the words "*and science*" in lieu thereof.

The motion prevailed.

Mr. Hawkins moved further to amend the same by adding after the word "*people*" the words "*by a vote of two-thirds of both branches thereof.*"

Whereupon Mr. Cobb called for the previous question, which being seconded and sustained, the main question, to-wit: the adoption of the said clause as amended—was put and carried.

So the fourth clause as amended was adopted.

The fifth clause of the same Section was read, when Mr. Fleming moved, after the word "*treason,*" to insert "*and to pardon or commute in cases of final conviction for murder,*" and to strike out the words "*or murder*" at the end of the clause.

The motion prevailed.

On motion the fifth clause was further amended by inserting after the word "*power,*" the following words: "*By a vote of two-thirds of each branch.*"

Mr. Thomas offered the following as a substitute for the original clause as amended:

The Senate alone by a vote of two-thirds thereof, shall have power to grant pardons in cases of convictions for treason or murder.

The substitute was lost, and the said fifth clause, as amended, was adopted.

The sixth Section of the second Article was taken up.

The first clause of said Section being under consideration, Mr. Fouché offered the following as a substitute therefor:

The General Assembly shall have no power to pass any Act authorizing a suspension of specie payment, or to legalize any such suspension by any chartered bank. No bank charter shall be granted, or extended, except by a vote of two-thirds of each branch of the General Assembly. They shall have no power to grant corporate powers and privileges to private companies, except to banking, insurance, railroad, canal, plank road, and telegraph companies, nor to make or change names, or to legitimize children, but shall by law prescribe the manner in which such power shall be exercised by the courts.

Mr. Jackson called for the previous question, which being seconded and sustained, the main question, to-wit: the passage of the original clause, was put and decided in the affirmative.

On motion of Mr. Cobb, the clause was amended by striking out the words "*both branches*" where they occur

in said clause, and by inserting the words "*each branch*" in lieu thereof, and by inserting after the words "*plank roads*," the following words: "*navigation, mining, express, lumber.*"

Mr. Cobb also moved to amend the third clause in a similar manner as to the words "*both branches.*"

The motion prevailed.

The fourth clause being under consideration, Mr. Johnson, of Hall, moved to strike it out.

Mr. Nisbet moved to strike out the words "where improvements are to be made within the corporate limits, or for corporate purposes."

The motion to strike out prevailed, and the clause as amended, was adopted.

The fifth clause being under consideration, Mr. Chastain moved to strike out the same.

Upon which motion the yeas and nays were demanded to be recorded.

There are yeas 125, nays 102, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|-------------------|--------------------|
| Adams, of Camden, | Brewton, |
| Adams, of Putnam, | Briggs, |
| Algood, | Brown, of Houston. |
| Bailey, | Brown, of Marion. |
| Bowen, | Bryan, |
| Bozeman, | Bush, |

| | |
|----------------------|--------------------------|
| Butts, | Herrington, |
| Byrd, | Hill, of Troup, |
| Cannon, of Rabun, | Howell, |
| Cannon, of Wayne, | Hudson, of Gwinnett, |
| Carswell, | Huggins, |
| Chastain, | Jackson, |
| Cheshier, | Johnson, of Clayton, |
| Clarke, | Johnson, of Hall, |
| Cleveland, | Johnson, of Jefferson, |
| Cochran, of Terrell, | Jones, of Chatahm, |
| Coleman, | Ketchum, |
| Corn, | Kimsey, |
| Daniel, | Knox, |
| Davis, of Putnam, | Lamb, |
| Day, | Lattimer, of Appling, |
| Dewberry, | Lattimer, of Montgomery, |
| Fain, | Mabry, of Berrien, |
| Farnsworth, | Mabry, of Heard, |
| Fleming, | Martin, of Lumpkin, |
| Fields, | McConnell, of Cherokee, |
| Ford, | McDonald, |
| Fort, of Wayne, | McLain, |
| Freeman, | McLeod, |
| Frier, | McRae, |
| Gaulden, | Mershon, |
| Glenn, of Fulton, | Milton, |
| Giles, | Mounger, |
| Gordon, | Nisbet, |
| Hale, | Overstreet, |
| Hall, | Padget, |
| Hammond, | Paris, |
| Hansell, | Patrick, |
| Harvill, | Pickett, |
| Harris, of Glynn, | Pierce, |
| Harris, of McIntosh, | Pitts, |
| Hawkins, | Pofford, |
| Henderson, | Ponder, |
| Hendry, | Prescott, |
| Hendricks, | Price, |

| | |
|---------------------------|------------------------|
| Ramsey, of Clinch; | Styles, |
| Reed, | Thomas, of Whitfield, |
| Rice, | Tillman, |
| Richardson, of Lee, | Tomlinson, |
| Sharpe, | Trippe, |
| Shropshire, of Chattooga, | Troup, |
| Skelton, | Tucker, of Colquitt, |
| Simmons, of Pickens, | Turner, of Wilcox, |
| Simms, | Walton, |
| Sirmons, | Waterhouse. |
| Sisk, | Webb, |
| Spencer, | Wellborn, |
| Stapleton, | Welchel, |
| Starr, | Williams, of McIntosh; |
| Stephens, of Hancock, | Williamson, |
| Stephens, of Pierce, | Yates, |
| Strickland, of Forsyth, | Young, of Irwin. |
| Strickland, of Tatnall, | |

Those who voted in the negative are Messrs.:

| | |
|-----------------------|--------------------------|
| Alexander, of Fulton; | Crawford, of Greene; |
| Alexander, of Upson; | Crawford, of Richmond; |
| Allen, | Davis, of Chattahoochee; |
| Anderson, | Davenport, of Clay; |
| Arnold, | Dickerson, |
| Beasley, | Fort, of Stewart; |
| Bell, of Forsyth; | Fouche, |
| Beall, of Troup; | French, |
| Benning, | Furlow, |
| Black, | Garvin, |
| Blalock, | Gholston, |
| Briscoe, | Glenn, of Oglethorpe; |
| Bullard, | Glover, |
| Cantrell, | Gray, |
| Carson, | Gresham, |
| Casey, | Gunn, |
| Cobb, | Haines, |
| Cody, | Harris, of Hancock; |

| | |
|-------------------------|-----------------------|
| Harvey, | Morrow, |
| Hilliard, | Neal, of Columbia; |
| Hines, | Neal, of Talbot; |
| Hoyal, | Phinizy, of Monroe; |
| Hood, | Phinizy, of Richmond; |
| Hudson, of Harris; | Pittman, |
| Hull, | Porter, |
| Humphries, | Poullain, |
| Hust, | Reese, |
| Jennings, | Reynolds, |
| Johnson, of Oglethorpe; | Robinson, |
| Jones, of Burke; | Roddey, |
| Jordan, | Rutherford, |
| Kenan, | Saffold, |
| Killgore, | Sharman, |
| Lamar, of Lincoln; | Singleton, |
| Lamar, of Bibb; | Smith, of Johnson; |
| Low, | Solomons, |
| Lester, | Spence, |
| Lindley, | Street, |
| Logan, | Taliaferro, |
| Logue, | Tidwell, |
| Long, | Toombs, |
| Lyle, | Tucker, of Laurens; |
| Manson, | Varnadoe, |
| Marshall, | Willingham, |
| McConnell, of Catoosa; | Williams, of Harris; |
| McCulloch, | Willis, |
| McDaniel, | Winn, of Cobb; |
| Means, | Word, |
| Moore, of Bulloch; | Wright, |
| Moor, of Spalding; | Yopp, |
| Montgomery, | Young, of Gordon; |

So the motion to strike out prevailed.

The seventh section of the second article of the Constitution was then taken up.

The third clause of the same being up for consideration, Mr. Styles moved to strike out all after the word "*slaves*" where it occurs therein.

The motion prevailed.

Mr. Thomas moved to add the words "*except by a unanimous consent of the General Assembly.*"

The motion was lost and the clause as amended was adopted.

The third article was taken up.

The first section having been read, Mr. Patrick moved the following amendment to the first clause thereof.

"The Governor shall receive a salary of three thousand dollars, which shall not be increased or diminished during the period for which he shall have been elected."

The amendment was lost.

On motion of Mr. Cobb, the words "*viva voce*," was inserted in the second clause, in lieu of the words "*joint ballot*."

The second section being up for consideration, Mr. Cobb, moved after the word "*vacancy*," in the fourth clause, to insert the words "*unless otherwise provided by law*."

The motion prevailed.

Mr. Clarke moved to insert "*elections*," before the word "*adjournment*," in the seventh clause, which motion prevailed.

On motion of Mr. Cobb, the third article of the Constitution, as amended, was adopted.

The fourth article was taken up.

On motion of Mr. Cobb, the word "*Ordinary*," was inserted, after the word "*Inferior*" in the first clause, of the first section, of said article; and after the word "*Courts*," the words composing the remainder of the original clause to be stricken out, and the following to be inserted: "*as have been or may be established by law.*"

Mr. Carswell moved to amend the second clause of the first section of said article as follows:

To strike out the words "*appointed by the Governor, with the advice and consent of tow-thirds of,*" and insert the words, "*elected by.*"

Mr. Patrick offered the following amendment to said clause:

The Supreme Court shall consist of three, who shall be elected by the persons qualified to vote for the members of the General Assembly, on the first Wednesday in October, in the year of our Lord 1861, and on the first Wednesday in October every fourth year thereafter—which election shall be conducted at the time and places, and in the same manner, as for Governor, and shall receive a salary of \$3,000, annually, for their services.

Mr. Singleton called for the previous question.

The call was not sustained.

The Convention then adjourned till 4 o'clock p. m.

4 O'CLOCK, P. M.

The Convention met pursuant to adjournment, and resumed the consideration of the unfinished business of the morning.

Mr. Hawkins offered the following as a substitute for the amendments offered to the second clause of the first section, of the fourth article of the Constitution, and the original clause, to-wit:

The Supreme Court shall consist of three Judges, who shall be elected by the Legislature, for the term of six years, and shall continue in office until their successors are elected and qualified, removable by impeachment and conviction thereon.

The amendment offered by Mr. Carswell was taken up.

Mr. Johnson, of Jefferson, moved to adopt as a substitute for all, the following:

“The Supreme Court shall consist of three judges, who shall be elected by the Legislature for such term of years as shall be prescribed by law, and shall continue in office until their successors shall be elected and qualified, removable by the Governor on the address of two-thirds of both branches of the General Assembly for that purpose, or by impeachment and conviction thereon.”

Upon which motion Mr. Hood demanded that the yeas and nays be recorded.

There are yeas, 63; nays, 151, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|------------------------|-------------------------|
| Bailey, | Lattimer, of Appling; |
| Beasley, | McDonald, |
| Brewton, | Mershon, |
| Briscoe, | Milton, |
| Brown, of Marion; | Moore, of Bulloch; |
| Butts, | Montgomery, |
| Carswell, | Patrick, |
| Chastain, | Pickett, |
| Cheshier, | Price, |
| Cleveland, | Ramsey, of Clinch; |
| Cochran, of Terrell; | Reynolds, |
| Corn, | Rice, |
| Day, | Sharman, |
| Giles, | Simmons, of Pickens; |
| Gordon, | Simms, |
| Hale, | Sirmons, |
| Hammond, | Sisk, |
| Harris, of Glynn; | Spence, |
| Harris, of McIntosh; | Stapleton, |
| Hawkins, | Strickland, of Forsyth; |
| Hendry, | Strickland, of Tatnall; |
| Hendricks, | Styles, |
| Herrington, | Taliaferro, |
| Hood, | Tidwell, |
| Huggins, | Tomlinson, |
| Johnson, of Clayton; | Tucker, of Colquitt; |
| Johnson, of Hall; | Turner, of Wilcox; |
| Johnson, of Jefferson; | Wellborn, |
| Killgore, | Williams, of McIntosh; |
| Kimsey, | Wright, |
| Knox, | Yates. |
| Lamb, | |

Those who voted in the negative are Messrs.:

| | |
|--------------------------|--------------------------|
| Adams, of Camden; | Fouche, |
| Adams, of Putnam; | Freeman, |
| Alexander, of Fulton; | French, |
| Alexander, of Upson; | Furlow, |
| Algood, | Gaulden, |
| Allen, | Garvin, |
| Anderson, | Gholston, |
| Arnold, | Glenn, of Fulton; |
| Bartow, | Glenn, of Oglethorpe; |
| Bell, of Banks; | Glover, |
| Benning, | Gray, |
| Black, | Gresham, |
| Blalock, | Gunn, |
| Bowen, | Haines, |
| Briggs, | Hansell, |
| Brown, of Houston; | Harris, of Hancock; |
| Bryan, | Henderson, |
| Bullard, | Hill, of Troup; |
| Bush, | Hilliard, |
| Byrd, | Hines, |
| Cannon, of Rabun; | Howell, |
| Cantrell, | Hudson, of Gwinnett; |
| Carson, | Hudson, of Harris; |
| Coleman, | Hull, |
| Crawford, of Greene; | Humphries, |
| Crawford, of Richmond; | Hust, |
| Daniel, | Jackson, |
| Davis, of Chattahoochee; | Jennings, |
| Davenport, of Sumter; | Johnson, of Oglethorpe; |
| Dewberry, | Jones, of Burke; |
| Dickerson, | Jones, of Chatham; |
| Fain, | Jordan, |
| Farnsworth, | Kenan, |
| Fleming, | Ketchum, |
| Fields, | Lamar, of Lincoln; |
| Fort, of Stewart; | Lamar, of Bibb; |
| Fort, of Wayne; | Lattimer, of Montgomery; |

| | |
|-------------------------|---------------------------|
| Low, | Reese, |
| Lester, | Richardson, of Lee; |
| Lindley, | Robinson, |
| Logan, | Roddey, |
| Logue, | Rutherford, |
| Lyle, | Saffold, |
| Mabry, of Berrien; | Sharpe, |
| Mabry, of Heard; | Shropshire, of Chattooga; |
| Manson, | Skelton, |
| Martin, of Lumpkin; | Singleton, |
| McConnell, of Catoosa; | Solomons, |
| McConnell, of Cherokee; | Spencer, |
| McCulloch, | Starr, |
| McDaniel, | Stephens, of Hancock; |
| McDowell, | Street, |
| McLain, | Thomas, of Dooly; |
| McLeod, | Thomas, of Whitfield; |
| McRae, | Tillman, |
| Means, | Toombs, |
| Moor, of Spalding; | Trippe, |
| Morrow, | Tucker, of Laurens; |
| Mounger, | Usry, |
| Neal, of Talbot; | Varnadoe, |
| Newton. | Walton, |
| Nisbet, | Waterhouse, |
| Overstreet, | Webb, |
| Padget, | Welchel, |
| Paris, | Whitehead, |
| Phinizy, of Monroe; | Willingham, |
| Phinizy, of Richmond; | Williams, of Harris; |
| Pierce, | Williamson, |
| Pittman, | Willis, |
| Pofford, | Winn, of Cobb; |
| Ponder, | Word, |
| Porter, | Yopp, |
| Poullain, | Young, of Gordon; |
| Prescott, | Young, of Irwin. |
| Reed, | |

So the substitute was lost.

Mr. Cobb called for the "previous question," which being seconded and sustained, the main question, to-wit: the adoption of the original clause, was put, and decided in the affirmative.

The third clause of said Section and Article being under consideration, Mr. Fleming offered the following amendment:

To insert after the word "*time*" the words "*and place,*" and to strike out all after the word "*law*" down to the word "*ordained,*" and to strike out all after the word "*county*" and insert the words "*of this State.*"

The amendment was lost.

On motion of Mr. Beall, of Forsyth, the word "*six,*" in the first clause of the second Section of said Article was stricken out, and the word "*four*" inserted in lieu thereof.

Mr. Chastain moved to strike out the said clause, and insert in lieu thereof, "the provisions of the existing law regulating the election of the Judges of the Superior Courts."

Upon which motion the yeas and nays were demanded.

There are yeas, 100; nays, 106, to-wit:

Those who voted in the affirmative are Messrs.:

| | |
|-----------------------|--------------------------|
| Adams, of Putnam; | Hendricks, |
| Algood, | Herrington, |
| Arnold, | Hood, |
| Bailey, | Hudson, of Gwinnett; |
| Black, | Hudson, of Harris; |
| Blalock, | Huggins, |
| Bowen, | Johnson, of Clayton; |
| Brewton, | Johnson, of Hall; |
| Briscoe, | Johnson, of Jefferson; |
| Butts, | Killgore, |
| Byrd, | Kimsey, |
| Cannon, of Rabun; | Knox, |
| Cannon, of Wayne; | Lamb, |
| Carson, | Lattimer, of Appling; |
| Chastain, | Lattimer, of Montgomery; |
| Cheshier, | Lester, |
| Cleveland, | Marshall, |
| Cochran, of Terrell; | Martin, of Lumpkin; |
| Coleman, | McConnell, of Catoosa; |
| Corn, | McConnell, of Cherokee; |
| Daniel, | McDonald, |
| Davenport, of Sumter; | McLeod, |
| Day, | Milton, |
| Dickerson, | Moore, of Bulloch; |
| Fain, | Montgomery, |
| Fields, | Morrow, |
| Fort, of Wayne; | Paris, |
| French, | Patriek, |
| Gholston, | Pickett, |
| Gordon, | Pierce, |
| Hale, | Pittman, |
| Hall, | Pofford, |
| Harvill, | Ponder, |
| Harris, of Glynn; | Prescott, |
| Harvey, | Price, |
| Hawkins, | Ramsey, of Clinch; |
| Hendry, | Reynolds, |

| | |
|-------------------------|----------------------|
| Rice, | Styles, |
| Richardson, of Lee; | Taliaferro, |
| Robinson, | Tomlinson, |
| Sharman, | Tucker, of Colquitt; |
| Simmons, of Pickens; | Turner, of Wilcox; |
| Sirmons, | Webb, |
| Sisk, | West, |
| Spence, | Welchel, |
| Spencer, | Willingham, |
| Stapleton, | Williams, of Harris; |
| Street, | Wright, |
| Strickland, of Forsyth; | Yates, |
| Strickland, of Tatnall; | Yopp. |

Those who voted in the negative are Messrs.:

| | |
|--------------------------|-----------------------|
| Adams, of Camden; | Fleming, |
| Alexander, of Fulton; | Ford, |
| Alexander, of Upson; | Fort, of Stewart; |
| Anderson, | Fouche, |
| Bartow, | Furlow, |
| Bell, of Forsyth; | Gaulden, |
| Beall, of Troup; | Glenn, of Oglethorpe; |
| Benning, | Glover, |
| Briggs, | Giles, |
| Brown, of Houston; | Gray, |
| Brown, of Marion; | Gresham, |
| Bryan, | Gunn, |
| Bullard, | Harris, of Hancock; |
| Bush, | Harris, of McIntosh; |
| Cantrell, | Henderson, |
| Carswell, | Hill, of Troup; |
| Cobb, | Hilliard, |
| Cody, | Hines, |
| Crawford, of Greene; | Howell, |
| Crawford, of Richmond; | Hull, |
| Davis, of Chattahoochee; | Humphries, |
| Davenport, of Clay; | Hust, |
| Dewberry, | Jackson, |

| | |
|-------------------------|---------------------------|
| Jennings, | Reese, |
| Johnson, of Oglethorpe; | Roddey, |
| Jones, of Burke; | Rutherford, |
| Jones, of Chatham; | Saffold, |
| Kenan, | Sharpe, |
| Ketchum, | Shropshire, of Chattooga; |
| Lamar, of Lincoln; | Skelton, |
| Lamar, of Bibb; | Simms, |
| Low, | Singleton, |
| Lindley, | Smith, of Johnson; |
| Logan, | Solomons, |
| Logue, | Stephens, of Hancock; |
| Lyle, | Thomas, of Dooly; |
| Mabry, of Berrien; | Thomas, of Whitfield; |
| Mabry, of Heard; | Tidwell, |
| Manson, | Tillman, |
| McCulloch, | Toombs, |
| McDaniel, | Trippe, |
| McRae, | Tucker, of Laurens; |
| Means, | Varnadoe, |
| Mounger, | Walton, |
| Neil, of Talbot; | Waterhouse, |
| Newton, | Whitehead, |
| Nisbet, | Williamson, |
| Padget, | Willis, |
| Phinizy, of Monroe; | Winn, of Cobb; |
| Phinizy, of Richmond; | Wood, |
| Porter, | Word, |
| Poullain, | Young, of Gordon; |
| Reed, | Young, of Irwin. |

So the motion was lost.

Mr. Reynolds offered the following amendment:

To insert in the third clause, after the word "*be*" and before "*appointed*" the words "elected by the General Assembly from the circuits in which they reside."

Mr. Varnadoe called for the "*previous question*," which being seconded and sustained, the main question was put, to-wit the motion to adopt the original clause as amended, which motion prevailed.

On motion of Mr. Cobb the words "for violations against road laws, and for obstructing water-course," in the third clause of the second section, was stricken out, and "violation of road laws and obstructions of water-courses jurisdiction of" was inserted.

Mr. Hawkins moved to strike out all after the word "*except*" in the fourth clause of said section.

The motion was lost.

Mr. Cobb offered the following amendment to the fifth clause of the second section of said article.

"And also in all equity cases which shall be tried in the county where one or more of the defendants reside, against whom substantial relief is prayed."

The amendment was received.

Mr. Jackson moved to strike out the word "*certiorari*," in the seventh clause and insert the word "*appeal*."

The motion was lost.

On motion of Mr. Cobb, the word "*Legislature*," in the 12th clause of said section, was stricken out, and the words "*General Assembly*" inserted in lieu thereof.

The third section was taken up.

Mr. Hansel moved to amend the 2d clause thereof, by striking out the words "elected by the persons entitled to vote for members of the General Assembly," and inserting, in lieu thereof, the words "appointed in the same manner as Judges of the Supreme Court."

The motion prevailed.

Mr. Hood moved to strike out the word "*justices*," in the third clause.

The motion was lost.

On motion of Mr. Cobb, the fourth article, as amended was adopted.

The fifth article was taken up.

On motion of Mr. Cobb, the words "*by joint ballot*" in the second Section were stricken out, and the words "*viva voce*" inserted in lieu thereof.

He also moved to strike out the words, "*and receive the ballots.*"

The motion prevailed.

Mr. Harris, of Glynn, moved to strike out all after the first sentence, in the sixth section.

The motion prevailed.

Mr. Cobb offered the following additional section.

7th. This constitution shall not take effect until the same is ratified by the people.

And to this end there shall be an election held at all the places of public election in this State, on the first Tuesday in July, 1861, when all the citizens of this State, entitled to vote for Governor, shall cast their ballots either for "Ratification" or "No Ratification."

The election shall be conducted in the same manner as general elections, and the returns shall be made to the Governor.

If a majority of the votes cast, shall be for "Ratification" the Governor shall by proclamation declare the constitution adopted by the people.

But if "No Ratification," the fact shall be proclaimed by the Governor, and this constitution shall have no effect whatever.

Mr. Tidwell offered the following ordinance, as a substitute for the foregoing:

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same,

SECTION 1. That the constitution of the State of Georgia, agreed to and adopted by this Convention, on ---- day of March, 1861, in lieu of the present constitution of this State, be submitted to the legal voters of the State, for their approval or rejection, and upon their ratification of said constitution, the same shall become the constitution of this State in lieu of the present constitution.

SEC. 2. That on the vote approving or rejecting said constitution, those voting, shall endorse on their tickets, "Ratification" or "No Ratification."

And be it further ordained, That if any part or parts of said constitution, shall be objectionable to said voters, that they be allowed to endorse, "No Ratification" to such parts, specifying such Sections as they may refuse to ratify, on their tickets.

And in the event that any one or more sections of said constitution should be rejected by a majority of the votes cast, said Section or Sections, shall not become a part of said constitution, but the remainder of said constitution not rejected by a majority of the votes as aforesaid, shall be considered as ratified, and become a part of the constitution of this State, and in lieu of the present constitution, so far as the same may extend.

SEC. 3. That an election be held on the first Wednesday in July next, at the several places of holding elections in this State, for members to the General Assembly, and that said election be held and managed in the same way and manner that elections are held by the laws now in force for members of the General Assembly. And that all persons entitled to vote for such members, be and they are hereby entitled to vote in said election for the ratification or rejection of said constitution, as provided for by this ordinance, with this additional privilege, that each citizen who would be entitled to vote in the county of his residence, may vote in any county in the State.

SEC. 4. The returns of said election shall be consolidated, sealed up, and forwarded to the Executive Depart-

ment at Milledgeville, when said returns from the respective counties shall be opened and consolidated, and His Excellency the Governor of this State, is hereby authorized and required to issue, and have published, his proclamation, announcing the ratification or rejection of said constitution, or such parts thereof as may be ratified or rejected according to this ordinance.

SEC. 5. That said constitution or such parts thereof as shall be ratified by the votes of the people, held under this ordinance, shall take effect and be of force from and after the tenth day of August, 1861.

Mr. Bell, of Forsyth, moved the indefinite postponement of the foregoing substitute.

Mr. Hull offered the following as an amendment, and substitute for both the original and substitute:

Resolved, That the action of this Convention altering the constitution, shall be submitted to a vote of the people, on the first Tuesday in July next, in the following manner:

Reduction of Senate.
Ratification.

Reduction of Senate.
No Ratification.

Constitution.
Ratification.

Constitution.
No Ratification.

If a majority shall vote to ratify the reduction of the Senate, the Governor shall make proclamation for the conduct of the voters at the election in October next.

If a majority shall vote to ratify the constitution, the Governor shall make proclamation thereof, declaring it to be the Supreme Law.

Elections in the premises and the returns made in the usual manner.

Mr. Chastain called for the "*previous question*," which being seconded and sustained, the main question, to-wit; the adoption of the original Section was put, and decided in the affirmative.

Mr. Cobb, then moved the adoption of the fifth article as amended.

The motion prevailed.

Mr. Cobb, from the Committee on the Constitution and Laws to whom was recommitted the 21st Section of the Bill of Rights, reported the following amendment, to come in after the word "*granted*," "and the right to carry water over land for the purpose of mining or draining."

The report was taken up and adopted.

Mr. Cobb from the same committee, to whom was re-committed the sixth clause of the first section, of the second article of the constitution, reported the following amendment; to insert after the word "*felony*," the words "*involving any species of the crimen falsi*."

The report was taken up and adopted.

Mr. Cobb moved to amend the fifth clause of Section second, of the third article of the constitution, by adding the words "during the same session or the recess thereafter."

The motion prevailed.

Mr. Whitehead offered the following resolution:

Resolved, That one thousand copies of the constitution as amended, be printed for the use of the members of the Convention.

The Convention then adjourned till ten o'clock tomorrow morning.

SATURDAY, MARCH 23, 1861.

The Convention met in secret session when the journal of yesterday was read.

Mr. Johnson, of Hall, moved to reconsider so much of the journal of yesterday as relates to the adoption of the fourth clause of the sixth section of the second article of the Constitution, as amended.

The motion to reconsider did not prevail.

Mr. Fouché moved to reconsider so much of the journal of yesterday as relates to the action of the Conven-

tion in striking out the 5th clause of the 6th section of the 2nd article of the Constitution.

The motion to reconsider did not prevail.

Mr. Chastain moved to reconsider so much of the journal of yesterday as relates to the rejection of his motion to strike out the third clause of the first section of the fourth article of the Constitution.

The motion to reconsider did not prevail .

Mr. Tidwell moved to reconsider so much of the journal of yesterday as relates to the rejection of his substitute for Mr. Cobb's additional section to the fifth article of the Constitution.

The motion to reconsider did not prevail.

On motion of Mr. Cobb, the Constitution as amended, was then adopted as a whole, and so proclaimed by the President.

Mr. Cobb offered the following resolution, which was taken up, read, and agreed to.

Resolved, That ten thousand copies of the Constitution of the Confederate States, and of the State of Georgia, as adopted by this Convention, shall be printed and distributed to the several members of this Convention, for the purpose of general distribution.

Mr. Hawkins from the Committee to organize the State into ten Congressional Districts, made the following report:

The Committee to whom was referred the organization of ten Congressional Districts for the State of Georgia, report the following:

AN ORDINANCE.

The people of Georgia, in Convention Assembled, do hereby declare and ordain,

That the Congressional Districts of this State shall be arranged by counties as follows

The First District shall be composed of the following counties:- Appling, Bryan, Bulloch, Chatham, Camden, Charlton, Clinch, Coffee, Effingham, Emanuel, Glynn, Liberty, McIntosh, Montgomery, Pierce, Screven, Telfair, Tatnall, Ware, and Wayne.

The Second District shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt, Dooly, Decatur, Dougherty, Early, Echols, Irwin, Lee, Lowndes, Mitchell, Miller, Randolph, Terrell, Thomas, Wilcox, and Worth.

The Third District shall be composed of the counties of Chattahoochee, Harris, Muscogee, Marion, Macon, Quitman, Stewart, Sumter, Schley, Taylor, Talbot, and Webster.

The Forth District shall be composed of the counties of Baldwin, Bibb, Crawford, Jones, Jasper, Houston, Laurens, Putnam, Pulaski, Twiggs, and Wilkinson.

The Fifth District shall be composed of the counties of Burke, Columbia, Glascock, Hancock, Jefferson,

Johnson, Lincoln, Richmond, Warren, Wilkes, and Washington.

The Sixth District shall be composed of the counties of Clark, Elbert, Franklin, Greene, Hart, Madison, Morgan, Newton, Oglethorpe, Taliaferro, and Walton.

The Seventh District shall be composed of the counties of Butts, Clayton, Fayette, Henry, Meriwether, Monroe, Pike, Spalding, Troup, and Upson.

The Eighth District shall be composed of the counties of Campbell, Carroll, Coweta, Cobb, DeKalb, Fulton, Haralson, Heard, Paulding, and Polk.

The Ninth District shall be composed of the counties of Banks, Cherokee, Dawson, Forsyth, Gwinnett, Habersham, Jackson, Hall, Lumpkin, Milton, Pickens, Rabun, Towns, Union and White.

The Tenth District shall be composed of the counties of Cass, Catoosa, Chattooga, Dade, Fannin, Floyd, Gordon, Gilmer, Murray, Walker, and Writfield.

Be it further ordained, That the first election for members to Congress shall be had under and by virtue of this ordinance, and thereafter said districts to be regulated by the Legislature, whenever the Congress of the Confederate States shall alter the apportionment of representation.

Mr. Cobb offered the following amendment: That the county of Jackson be transferred from the ninth to the sixth Congressional District.

The amendment was received.

Mr. Hawkins called for the previous question, to-wit: the adoption of the ordinance as amended, which bring seconded and sustained, the same was read twice and passed.

Mr. Varnadoe offered the following resolution which was taken up and read.

Resolved, That the thanks of this convention are due and are hereby tendered to the clergy, resident in this city, for their prompt and cheerful acceptance of the invitation of its committee to officiate in the opening exercises of this Convention, and their acceptable performance of the service.

Mr. Martin, of Lumpkin, offered the following amendment:

Resolved further, That the thanks of this Convention are due and are hereby tendered to the President of the Georgia Railroad Company for the kind and courteous tender of tickets to members of this Convention on their return home. And that the Secretary transmit a copy of this resolution to the President of said road.

The amendment was received, and the resolution, as amended, was unanimously adopted.

Mr. Varnadoe laid on the table the following resolutions.

Resolved First, That the volunteer soldiers from the city of Savannah have exhibited their patriotism in the prompt, patient, and efficient manner in which they

have discharged their duty in garrisoning Fort Pulaski, and deserve the gratitude of their fellow citizens.

Resolved Second, That the Governor be requested and empowered to draw from the funds of the State a sufficient sum to pay each of such soldiers as much, at least, as will equal the pay of regulators, and place this sum in the hands of Col. A. R. Lawton, for payment to those who have served under him in holding Fort Pulaski.

Mr. Bartow, from the Committee on Military Affairs, reported the following ordinance, which was taken up, read twice, and adopted:

AN ORDINANCE.

To define the number of men who shall compose a company in the two regular regiments of infantry.

Be it ordained by the people of the State of Georgia, in Convention assembled:

That the number of men who shall compose a company of infantry in the said regular regiments of infantry authorized to be raised by an ordinance of this Convention, shall be the same as is provided for the volunteer force authorized to be raised by the General Assembly of this State by an act "to provide for the public defence, and for other purposes."

From the same Committee Mr. Bartow reported the following resolutions, which were taken up, read, and adopted.

Resolved by the people of Georgia in Convention Assembled, That the Governor of this State is hereby authorized to tender to the Government of the Confederate States of America, under the provisions of an Act of Congress "to raise provisional forces for the Confederate States of America and for other purposes," the regular forces of this State provided for by an ordinance of this Convention.

Resolved further, That the President of the Confederate States be requested to receive into the service under the act aforesaid all the men now enlisted, with the officers necessary to command them, by companies or battalions, and the remainder of the force as they may be recruited with their officers, until each of the two, regiments now being recruited is completed when the whole force with their officers shall form as regiments a part of the said provisional army for the term of the enlistment for the war.

Resolved further, That the Governor be authorized to continue the recruiting service by the officers not required for the command of the troops transferred, until the regiments are completed, provided that a longer time than four months from this date be not allowed for this purpose, and provided further that the Governor be authorized to disband the said regiments, if not transferred to the Government of the Confederate States.

Mr. Clarke, from the special committee to whom was referred the subject of printing and distributing the journals of this body, and the compensation which should

be allowed its Secretary and assistant, makes the following.

REPORT.

The Committee have examined the journal and the record of the same, so far as both have progressed, and find that the journal, together with the numerous documents which the Convention has ordered published as an appendix thereto, will make a journal of some four hundred pages. This journal, on account of the important matter which it contains, should be printed in a neat and substantial manner, and well distributed throughout the State.

The committee further report that the recording of the journal has begun in a well bound, neat and substantial book, and has progressed as far as the journal of the proceedings of the last day's session at Milledgeville, which has been done in the recess by the Secretaries, without the employment of a clerk. The record of our first session will extend over about one hundred and ten pages, closely written of said Record Book. Such recording has been well and, so far as we have been able to examine, correctly done.

The committee further report that they have considered the compensation which should be allowed the officers of this Convention, and have ascertained—

First. That the Secretary and one assistant have discharged all the duties of the office without the employment of aid, except in two instances. By order of the President, the enrolling of the several ordinances were

procured to be enrolled. By special order of the Convention a clerk was employed for thirteen days.

Second. If the Convention adjourns on Saturday, it will have been in actual session thirty days, being three-fourths as long as the constitutional session of the General Assembly.

Third. That there were twenty-six days in the recess, during which time the Secretary and his assistant were employed in recording the journals and in performing other duties connected with their office.

Fourth. That for completing the journals and the records of the same, for bringing up all other unfinished business, and for supervising the printing, publication and distribution of the printed journal, it will require forty-five days.

Fifth. This will make the time actually employed by the Secretaries one hundred and two days. We include the time and service of supervising the printing, because by reason of the great importance in having the journals accurately printed and correctly bound, it is necessary that such duty should devolve upon some person, and no one can do it so well as the Secretaries, who have drafted and recorded the original manuscript.

Sixth. That this committee have made inquiry, and have ascertained that the Secretary's office of the last Senate, which was in session forty-three days, cost the State about eight thousand dollars, which is not alluded to, to condemn the expenditure, for we know that office is now discharged with a regard to economy which hither-

to did not obtain. The greatest portion of this expenditure was for necessary clerk hire, but the Secretaries of this Convention have employed no clerks, and have chosen to work the harder themselves, therefore have rendered a large amount of what precedent would justify us in denominating, *extra work*. We take pleasure in saying, that in adopting this method, they have originated a system of economy in the office of Secretary, which as a precedent, may be the means of saving to the State many dollars.

This view appears with much more force, when we consider that this Convention is as large as both departments of the General Assembly, and to a great extent embraces the amount of service discharged by the Secretary of the Senate, and the clerk of the House.

We therefore in consideration of the two subjects submitted to our consideration, propose the following resolutions:

1st. *Resolved*, That five thousand copies of the journals of this Convention, be printed and bound as was the journals of the late South Carolina Convention, under the supervision of the Secretary of this Convention, except twenty-five copies thereof, which shall be bound in sheep, and be deposited in the State Library, the others shall be distributed to the different counties under the same authority and in the same manner, as the journals of the General Assembly.

2nd. *Resolved*, That the Secretary and his assistant to cover the expense of any clerk they may deem necessary, shall receive each fifteen hundred dollars, which is

sary to employ, in bringing up and completing the unfinished business.

3rd. *Resolved*, That J. M. Patton have ninety-one dollars for thirteen days employment as a clerk of this Convention, and H. J. G. Williams, fifty dollars for enrolling certain ordinances.

The report was taken up and read.

Mr. Tidwell laid on the table the following amendment, "and that the Secretaries of this Convention be permitted to publish, and have the exclusive right to do so, any extra copies of the journal they may see proper, at their own expense, for sale."

Mr. Alexander, of Upson, offered the following amendment, which was received.

Resolved, That the compensation of the President of this body shall be ten dollars per diem, and mileage.

Mr. Briscoe offered the following amendment which was received.

Resolved, That the pay of the Assistant Door Keeper, be the same, per diem, during the time he has served, as that of the Messenger or Doorkeeper.

Mr. Clarke offered the following amendment which was received.

"Each member of this Convention shall have one copy of said journal to be sent to him by the State Librarian, by mail."

The report as amended was adopted.

Mr. Safford from the Committee on Military Affairs, reported the following resolution :

Resolved, That the thanks of the people of Georgia, are hereby tendered to the various officers and their respective commands, who, in the hour of anticipated danger and invasion, promptly placed themselves under the command of the Governor, for the purpose of protecting and defending the honor and interest of the State.

The report was taken up, read, and unanimously adopted.

Mr. Alexander of Fulton laid on the table the following resolutions :

Resolved, That the sum of — dollars be allowed to the Treasurer of the State of Georgia, for the extra duties which he discharged at Milledgeville and Savannah, consequent upon the payments made, and to be made by him to this Convention, its officers, printers, and others.

The resolution was taken up and read, when Mr. Johnson, of Clayton, moved to fill the blank with \$500.

The motion was lost.

Mr. Alexander, of Fulton, moved to fill the blank with \$300.

The motion was lost.

He then moved to insert \$200, which motion prevailed, and the resolution as amended was adopted.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, made the following.

REPORT.

The Committee on the Constitution and Laws of the State, and the Constitution of the United States, to whom was referred the resolution inquiring into the propriety of granting to the Governor, the power to make reprisals and etc., report:

That they have had the same under consideration, and recommend that no action be taken by this Convention.

The report was taken up, read, and adopted.

Mr. Cobb, from the Committee on the Constitution and Laws of the State, and the Constitution of the United States, reported the following ordinance:

AN ORDINANCE.

To alter and fix the time of electing the Governor and Members of the General Assembly.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by authority of the same,

That the next election of Governor, and Members of

the General Assembly, shall be held on the first Wednesday in October, 1861, and that the Governor and Members of the General Assembly, shall be elected biennially thereafter, on the first Wednesday in October, until the time shall be altered by law.

The report was taken up, and the ordinance having been read twice, was adopted.

Mr. Saffold from the Committee on Military Affairs reported the following ordinance.

AN ORDINANCE.

To authorize the Governor to pay the officers and men of the various Volunteer Companies, which have been employed by him in the military services of the State.

Be it ordained by the people of Georgia in Convention assembled, That the Governor be and he is hereby authorized and required to pay the officers and men of the various Volunteer Companies, which have been employed by him in the military service of the State, and compensation according to their respective grades, as is allowed by law, to the officers and privates in the regular army of the United States.

The report was taken up, and the ordinance having been read twice, was adopted.

Mr. Cobb offered the following Resolution, which was taken up, read, and adopted:

Resolved, That a committee of three be appointed

to revise and collate the amendments made to the Constitution of the State.

The President then appointed the following as the committee under the foregoing resolution, to-wit:

MESSRS. COBB,
CRAWFORD, of Greene, and
STEPHENS, of Hancock.

Mr. Carswell laid on the table the following Resolution, which was taken up, read, and adopted:

Resolved, That the Treasurer pay the printing and other contingent expenses of this Convention, when the accounts have been properly audited and approved by the auditing committee.

Mr. Cobb laid on the table the following Ordinance, which was taken up, read twice and adopted:

AN ORDINANCE.

To define the extent of duration of the Ordinances passed by this Convention.

The people of Georgia, in Convention assembled, do ordain:

That all Ordinances passed by this Convention shall be subject to modification or repeal by the General Assembly of this State, except the following:

1st, The Ordinance of Secession.

2nd, The Ordinance of Ratification of the Constitution of the Confederate States of America.

3rd, The Ordinances in relation to the Constitution of the State.

4th, All Ordinances and Regulations referring to our relations with the Confederate States.

5th. All Ordinances which by their own terms can be changed only by a Convention of the People.

Mr. Cobb laid on the table the following Resolutions, which were taken up, read, and adopted.

Resolved, That the delegates from this State to the Convention at Montgomery be authorized to consent to the continuation of the Provisional Government until the 22nd day of February,, 1862, with a view to the inauguration of the Permanent Government on that day.

Resolved, That any vacancy which may occur in the said delegation by death, resignation, or otherwise, may be filled by the appointment of the remaining delegates.

The Resolution of Mr. Roddey relative to the suspension of specie payments by the Banks, and the payment of duties on imports, and etc., was then taken up, and, on motion of Mr. Fouche was laid on the table.

Mr. Bartow's Resolution relative to Officers of the Navy on the retired list, was taken up and read.

Mr. Bartow moved to amend the same by striking out the word "retired" and inserting the word "reserved."

The motion prevailed, and the Resolution as amended was adopted.

On motion, the rule was suspended, when Mr. Williamson offered the following Resolution:

Resolved, That this Convention tender its thanks to the Hon. George W. Crawford, its distinguished and patriotic President, for the kind, able, and dignified manner in which he presided over the deliberations of this body.

The Resolution was taken up, read, and unanimously adopted.

H. P. Bell, Esq., the Commissioner on the part of Georgia to Tennessee laid on the table a communication, which was ordered to be printed in the appendix to the Journal of this Convention.

Mr. Clarke's Ordinance to modify the Act of the General Assembly of 1859, relative to Bank suspensions, was taken up and read, when he laid on the table the following amendments.

1st, To add to the first section the following words: "and that he has not procured specie, either by himself, or otherwise exchanged bills, nor resorted to any other means to give any Bank or Banks an advantage over another."

2nd, "The Banks of Augusta must furnish the specie in redemption of their respective bills, for dues to the customs, by persons resident of that city, or doing business therein."

Mr. Spencer moved to postpone indefinitely the consideration of said Ordinance, pending which motion the Convention took a recess till 4 o'clock, P. M.

4 O'CLOCK, P. M.

The Convention met pursuant to adjournment.

Mr. Fort from the Committee on Enrollment, made the following.

REPORT:

Whereas, The special committee on pay to the several officers of this Convention has recommended the sum of fifty dollars only to Maj. H. J. G. Williams, for services as Enrolling Clerk; and whereas, said sum is much below the services rendered. We, the Enrolling committee, recommend that Maj. Williams receive one hundred and fifty dollars in addition to the amount already voted to him.

On motion of Mr. Hull, the Convention then adjourned till half-past seven o'clock, P. M.

7:30 O'CLOCK, P. M.

The Convention met pursuant to adjournment.

Mr. Glenn of Fulton laid up on the table the following Resolution:

Resolved, That the injunction of secrecy be removed from all the proceedings of this Convention.

The Resolution was taken up, read, and adopted.

Mr. Thomas of Whitfield, offered the following Resolution, which was taken up, read and adopted:

Resolved, That the thanks of this Convention be, and they are hereby tendered to the committee on the Constitution and Laws of the State and the Constitution of the United States, for the untiring zeal and signal ability displayed, in their Reports to this Convention, and especially in their Report on the Revision of the Constitution of the State.

Mr. Cobb, from the committee to revise and collate the amendments made to the Constitution, reported that the committee had discharged that duty, and submitted the following, as the Constitution of the State, to be submitted to the people for ratification:

THE
CONSTITUTION
OF
THE STATE OF GEORGIA.

ARTICLE I.

DECLARATION OF FUNDAMENTAL PRINCIPLES.

1. The fundamental principles of Free Government cannot be too well understood, nor too often recurred to.

2. God has ordained that men shall live under government; but as the forms and administration of civil government are in human and therefore, fallible hands, they may be altered, or modified whenever the safety or happiness of the governed requires it. No government should be changed for light or transient causes; nor unless upon reasonable assurance that a better will be established.

3. Protection to person and property is the duty of Government; and a Government which knowingly and persistently denies, or withholds from the governed such protection, when within its power, releases them from the obligation of obedience.

4. No citizen shall be deprived of life, liberty or property, except by due process of law; and of life or liberty, only by the judgment of his peers.

5. The writ of "*Habeas Corpus*" shall not be suspended, unless in case of rebellion or invasion, the public safety may require it.

6. The right of the people to keep and bear arms shall not be infringed.

7. No religious test shall be required for the tenure of any office; and no religion shall be established by law; and no citizen shall be deprived of any right or privilege by reason of his religious belief.

8. Freedom of thought and opinion, freedom of speech, and freedom of the press, are inherent elements of political liberty. But while every citizen may freely

speak, write and print, on any subject, he shall be responsible for the abuse of the liberty.

9. The right of the people to appeal to the courts; to petition Government on all matters of legitimate cognizance; and peaceably to assemble for the consideration of any matter of public concern shall never be impaired.

10. For every wrong, there should be provided a remedy; and every citizen ought to obtain justice without purchase, without denial, and without delay—conformably to the laws of the land.

11. Every person charged with an offence against the laws of the State shall have the privilege and benefit of counsel:

Shall be furnished, on demand, with a copy of the accusation, and with a list of the witnesses against him:

Shall have compulsory process to obtain the attendance of his own witnesses:

Shall be confronted with the witnesses testifying against him; and

Shall have a public and speedy trial by an impartial jury.

12. No person shall be put in jeopardy of life or liberty more than once for the same offence.

13. No conviction shall work corruption of blood, or general forfeiture of estate.

14. Excessive bail shall not be required; nor excessive fines imposed; nor cruel and unusual punishments inflicted.

15. The power of the courts to punish for contempt shall be limited by Legislative Acts.

16. A faithful execution of the laws is essential to good order; and good order in society is essential to liberty.

17. Legislative Acts in violation of the fundamental law are void; and the Judiciary shall so declare them.

18. *Ex post facto* laws, and impairing the obligation of contracts, and retro-active legislation injuriously affecting the right of the citizen, are prohibited.

19. Laws should have a general operation; and no general law should be varied in a particular case by special Legislation; except with consent of all persons to be affected thereby.

20. The right of taxation can be granted only by the people; and shall be exercised only to raise revenue for the support of Government, to pay the public debt; to provide for the common defence, and for such other purposes as are specified in the grant of powers.

21. In cases of necessity, private ways may be granted, upon just compensation being first paid; and with this exception, private property shall not be taken except for public use; and then, only upon just compensation; such compensation except in cases of pressing necessity, to be first provided and paid.

22. The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place or places to be searched, and the person and things to be seized.

23. Martial law shall not be declared except in cases of extreme necessity.

24. Large standing armies, in time of peace are dangerous to liberty.

25. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner prescribed by law.

26. The person of a debtor shall not be detained in prison after delivering *bona fide* all of his estate for the use of his creditors.

27. The enumeration of rights herein contained shall not be construed to deny to the people any inherent rights which they have hitherto enjoyed.

28. This declaration is a part of this Constitution, and shall never be violated on any pretence whatever.

ARTICLE II.

SECTION 1.

1. The Legislative, Executive and Judicial departments, shall be distinct; and each department shall be confided to a separate body of magistracy. No person

or collection of persons, being of one department, shall exercise any power properly attached to either of the others; except in cases herein expressly provided.

2. The Legislative power shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives.

3. The meeting of the General Assembly shall be annual, until such day of meeting shall be altered by law. A majority of each House shall constitute a quorum to transact business; but a smaller number may adjourn from day to day, and compel the attendance of their members in such manner as each House shall prescribe. No session of the General Assembly shall continue for more than forty days unless the same shall be done by a vote of two-thirds of each branch thereof.

4. The compensation of the members and officers of the General Assembly shall be fixed by law, at the first session, subsequent to the adoption of this Constitution: and the same shall not be increased so as to affect the compensation of the members or officers of the Assembly by which the increase is adopted.

5. No person holding any military commission or other appointment having any emolument or compensation annexed thereto, under this State or the Confederate States, or either of them, (except Justices of the Inferior Court, Justices of the Peace and officers of the militia,) nor any defaulter for public money, or for legal taxes required of him, shall have a seat in either branch of the General Assembly; nor shall any Senator or Representative, after his qualification as such, be elected to any

office or appointment by the General Assembly having any emoluments or compensation annexed thereto, during the time for which he shall have been elected.

6. No person convicted of any felony before any Court of this State, or of the Confederate States, shall be eligible to any office or appointment of honor, profit, or trust, within this State.

7. No person who is a collector or holder of public money, shall be eligible to any office in this State, until the same is accounted for and paid into the Treasury.

SECTION 2.

1. The Senate shall consist of forty-four members, one to be chosen from each senatorial district, which district shall be composed of three contiguous counties. If a new county is established, it shall be added to a district which it adjoins until there shall be another arrangement of the senatorial districts. The senatorial districts shall not be changed except when a new census shall have been taken.

2. No person shall be a Senator who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States,, and have been for three years an inhabitant of this State, and for one year a resident of the district from which he is chosen.

3. The Presiding officer shall be styled the President of the Senate, and shall be elected *viva voce* from their own body.

4. The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment, in cases of impeachment, shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit or trust within this State; but the party convicted shall, nevertheless be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION 3.

1. The House of Representatives shall be composed as follows:

The thirty-seven counties having the largest representative population shall have two Representatives each. Every other county shall have one Representative. The designation of the counties having two Representatives shall be made by the General Assembly immediately after the taking of each census.

2. No person shall be a Representative who shall not have attained to the age of twenty-one years, and be a citizen of the Confederate States, and have been for three years an inhabitant of this State, and for one year a resident of the county which he represents.

3. The presiding officer of the House of Representatives shall be styled the Speaker, and shall be elected *viva voce* from their own body.

4. They shall have the sole power to impeach all persons who have been or may be in office.

5. All bills for raising revenue, or appropriating money, shall originate in the House of Representatives; but the Senate may propose or concur in amendments, as in other bills.

SECTION 4.

1. Each House shall be the judge of the election, returns, and qualifications of its own members; and shall have power to punish them for disorderly behavior or mis-conduct, by censure, fine, imprisonment or expulsion; but no member shall be expelled by a vote of two-thirds of the House from which he is expelled.

2. Each House may punish, by imprisonment, not extending beyond the session, any person not a member, who shall be guilty of a contempt, by any disorderly behavior in its presence; or who; during the session, shall threaten injury to the person or estate of any member, for anything said or done in either House; or who shall assault any member therefor; or who shall assault or arrest any witness going to or returning therefrom; or who shall rescue, or attempt to rescue, any person arrested by order of either House.

3. The members of both Houses shall be free from arrest, during their attendance on the General Assembly, and in going to and returning therefrom, except for treason, felony, or breach of the peace. And no member shall be liable to answer, in any other place, for anything spoken in debate in either House.

4. Each House shall keep a journal of its proceedings, and publish them immediately after its adjourn-

ment. The yeas and nays of the members on any question, shall at the desire of one-fifth of the members present, be entered on the journals. The original journals shall be preserved (after publication) in the office of the Secretary of State; but there shall be no other record thereof.

5. Every bill, before it shall pass, shall be read three times and on three separate and distinct days in each House, unless in case of actual invasion or insurrection. Nor shall any law or ordinance pass which refers to more than one subject matter, or contains matter different from what is expressed in the title thereof.

6. All Acts shall be signed by the President of the Senate and the Speaker of the House of Representatives; and no bill, ordinance, or resolution intended to have the effect of law, which shall have been rejected by either House, shall be again proposed under the same or any other title, without consent of two-thirds of the House by which the same was rejected.

7. Neither House shall adjourn for more than three days, nor to any other place, without the consent of the other; and in case of disagreement between the two Houses, on a question of adjournment, the Governor may adjourn them.

8. Every Senator and Representative before taking his seat shall take an oath or affirmation to support the Constitution of the Confederate States and of this State; and also, that he hath not practiced any unlawful means, either directly or indirectly, to procure his election. And every person convicted of having given or of-

ferred a bribe, shall be disqualified from serving as a member of either House for the term for which he was elected.

9. Whenever this Constitution requires an Act to be passed by two-thirds of both Houses, the yeas and nays on the passage thereof shall be entered on the journals of each.

SECTION 5.

1. The General Assembly shall have power to make all laws and ordinances, consistent with this Constitution and not repugnant to the Constitution of the Confederate States, which they shall deem necessary and proper for the welfare of the State.

2. They may alter the boundaries of the counties and lay off and establish new counties; but every bill to establish a new county shall be passed by at least two-thirds of the members present, in each branch of the General Assembly.

3. They shall provide for the taking of a census or enumeration of the people of this State, at regular decades of years, commencing at such times as they may prescribe.

4. The General Assembly shall have power to appropriate money for the promotion of learning and science, and to provide for the education of the people.

5. The General Assembly shall have power by a vote of two-thirds of each branch, to grant pardons in cases of final conviction for treason, and to pardon or commute in cases of final conviction for murder.

SECTION 6.

1. The General Assembly shall have no power to grant corporate powers and privileges, to private companies, except to banking, insurance, railroad, canal, plank road, navigation, mining, express, lumber, and telegraph companies; nor to make or change election precincts; nor to establish bridges and ferries; nor to change names, or legitimize children; but shall by law prescribe the manner in which such power shall be exercised by the Courts. But no bank charter shall be granted or extended, and no act passed authorizing the suspension of specie payment by any chartered bank, except by a vote of two-thirds of each branch of the General Assembly.

2. No money shall be drawn from the Treasury of this State, except by appropriation made by law; and a regular statement and account of the receipt and expenditure of all public money shall be published from time to time.

3. No vote, resolution, law, or order shall pass, granting a donation or gratuity in favor of any person, except by the concurrence of two-thirds of the General Assembly.

4. No law shall be passed by which a citizen shall be compelled directly, or indirectly, to become a stockholder in, or contribute to a railroad or other work of internal improvement, without his consent; except the inhabitants of a corporate town or city. This provision shall not be construed to deny the power of taxation for the purpose of making levees or dams to prevent the overflow of rivers.

SECTION 7.

1. The importation or introduction of negroes from any foreign country, other than the slave-holding States or Territories of the United States of America, is forever prohibited.

2. The General Assembly may prohibit the introduction of negroes from any State; but they shall have no power to prevent immigrants from bringing their slaves with them.

3. The General Assembly shall have no power to pass laws for the emancipation of slaves.

4. Any person who shall maliciously kill or maim a slave, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person.

ARTICLE III.

SECTION 1.

1. The executive power shall be vested in a Governor, who shall hold his office during the term of two years, and until such time as a successor shall be chosen and qualified. He shall have a competent salary fixed by law, which shall not be increased or diminished during the period for which he shall have been elected; neither shall he receive, within that period, any other emolument from the Confederate States, or either of them, or from any foreign power.

2. The Governor shall be elected by the persons qualified to vote for members of the General Assembly,

on the first Wednesday in October, in the year of our Lord 1861; and on the first Wednesday in October in every second year thereafter, until such time be altered by law, which election shall be held at the places of holding general elections, in the several counties of this State, in the manner prescribed for the election of members of the General Assembly. The returns for every election of Governor shall be sealed up by the managers, separately from other returns, and directed to the President of the Senate and the Speaker of the House of Representatives; and transmitted to the Governor, or the person exercising the duties of Governor for the time being; who shall, without opening the said returns, cause the same to be laid before the Senate, on the day after the two houses shall have been organized; and they shall be transmitted by the Senate to the House of Representatives. The members of each branch of the General Assembly shall convene in the Representative Chamber, and the President of the Senate, and the Speaker of the House of Representatives, shall open and publish the returns in presence of the General Assembly; and the person having the majority of the whole number of votes given in, shall be declared duly elected Governor of this State; but if no person have such majority, then from the two persons having the highest number of votes, who shall be in life, and shall not decline an election at the time appointed for the Legislature to elect, the General Assembly shall immediately elect a Governor *viva voce*; and in all cases of an election of a Governor by the General Assembly, a majority of the votes of the members present shall be necessary for a choice. Contested elections shall be determined by both Houses of

the General Assembly, in such manner as shall be prescribed by law.

3. No person shall be eligible to the office of Governor who shall not have been a citizen of the Confederate States twelve years, and an inhabitant of this State six years, and who hath not attained the age of thirty years.

4. In case of the death, resignation, or disability of the Governor, the President shall exercise the Executive powers of the government until such disability be removed, or a successor is elected and qualified. And in case of death, resignation or disability of the President of the Senate, the Speaker of the House of Representatives shall exercise the executive power of the government until the removal of the disability or the election and qualification of a Governor.

5. The Governor shall, before he enters on the duties of his office, take the following oath or affirmation: "I do solemnly swear or affirm (as the case may be) that I will faithfully execute the office of Governor of the State of Georgia; and will, to the best of my abilities, preserve, protect and defend the constitution thereof."

SECTION 2.

1. The Governor shall be Commander-in-Chief of the army and navy of this State, and of the militia thereof.

2. He shall have power to grant reprieves for offences against the State, except in cases of impeachment, and to grant pardons, or to remit any part of a sentence,

in all cases after conviction, except for treason or murder, in which cases he may respite the execution, and make a report thereof to the next General Assembly.

3. He shall issue writs of election to fill vacancies that happen in the Senate or House of Representatives, and shall have power to convene the General Assembly on extraordinary occasions; and shall give them, from time to time, information of the state of the republic, and recommend to their consideration such measures as he may deem necessary and expedient.

4. When any office shall become vacant by death, resignation, or otherwise, the Governor shall have power to fill such vacancy unless otherwise provided for by law; and persons so appointed shall continue in office until a successor is appointed agreeably to the mode pointed out by this Constitution, or by law in pursuance thereof.

5. A person once rejected by the Senate shall not be re-appointed by the Governor to the same office during the same session or the recess thereafter.

6. The Governor shall have the revision of all bills passed by both Houses, before the same shall become laws, but two-thirds of each House may pass a law notwithstanding his dissent; and if any bill should not be returned by the Governor within five days (Sundays excepted) after it has been presented to him, the same shall be a law, unless the General Assembly, by their adjournment, shall prevent its return. He may approve any appropriation and disapprove any other appropriation in the same bill, and the latter shall not be effectual unless passed by two-thirds of each House.

7. Every vote, resolution, or order, to which the concurrence of both Houses may be necessary, except on a question of election or adjournment, shall be presented to the Governor; and before it shall take effect, be approved by him, or being disapproved, shall be repassed by two-thirds of each House, according to the rules and limitations prescribed in case of a bill.

8. There shall be a Secretary of State, a Comptroller-General, a Treasurer and Surveyor-General, elected by the General Assembly, and they shall hold their offices for the like period as the Governor, and shall have a competent salary which shall not be increased, or diminished during the period for which they shall have been elected. The General Assembly may at any time consolidate any two of these offices, and require all the duties to be discharged by one officer.

9. The great seal of the State shall be deposited in the office of the Secretary of State, and shall not be affixed to any instrument of writing, but by order of the Governor or General Assembly; and the General Assembly shall, at their first session, after the rising of this convention, by law cause the great seal to be altered.

10. The Governor shall have power to appoint his own Secretaries, not exceeding two in number.

ARTICLE IV.

SECTION 1.

1. The Judicial powers of this State shall be vested in a Supreme Court for the correction of errors, a Superior, Inferior, Ordinary and Justices' Courts, and in

such other courts as have been or may be established by law.

2. The Supreme Court shall consist of three Judges, who shall be appointed by the Governor with the advice and consent of two-thirds of the Senate, for such term of years as shall be prescribed by law, and shall continue in office until their successors shall be appointed and qualified, removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

3. The said Court shall have no original jurisdiction, but shall be a court alone for the trial and correction of errors in law and equity from the Superior Courts of the several circuits, and shall sit at least once a year, at a time prescribed by law, in each of one or more judicial districts, designated by the General Assembly for that purpose, at such point in each district as shall by the General Assembly be ordained, for trial and determination of writs of error from the several Superior Courts included in such judicial districts.

4. The said Court shall dispose of and finally determine every case on the docket of such Court at the first or second term after such writ of error brought; and in case the plaintiff in error shall not be prepared at the first term of such Court after error brought, to prosecute the case unless precluded by some providential cause from such prosecution, it shall be stricken from the docket, and the judgment below shall stand affirmed.

SECTION 2.

1. The Judges of the Superior Courts shall be

appointed in the same manner as Judges of the Supreme Court from the circuits in which they are to serve, for the term of four years, and shall continue in office until their successors shall be appointed and qualified, removable by the Governor on the address of two-thirds of each branch of the General Assembly, or by impeachment and conviction thereon.

2. The Superior Court shall have exclusive jurisdiction in all cases of divorce, both total and partial; but no total divorce shall be granted, except on the concurrent verdicts of two special juries. In each divorce case, the Court shall regulate the rights and disabilities of the parties.

3. The Superior Court shall also have exclusive jurisdiction in all criminal cases, except as relates to people of color, fines for neglect of duty, contempts of Court; violations of road laws, and obstructions of water courses, jurisdiction of which shall be vested in such judicature or tribunal, as shall be or may have been pointed out by law; and except in all other minor offences committed by free white persons, and which do not subject the offender or offenders to loss of life, limb or member, or to confinement in the penitentiary; in all such cases Corporation Courts, such as now exist, or may hereafter be constituted, in any incorporated city, or town, may be vested with jurisdiction, under such rules and regulations as the Legislature may hereafter by law direct.

4. All criminal cases shall be tried in the county where the crime was committed, except in cases where a jury can not be obtained.

5. The Superior Court shall have exclusive jurisdiction in all cases respecting titles to land, which shall be tried in the county where the land lies. And also in all equity causes, which shall be tried in the county where the land lies. And also in all equity causes, which shall be tried in the county where one or more of the defendants reside, against whom substantial relief is prayed.

6. It shall have appellate jurisdiction in all such cases as may be provided by law.

7. It shall have power to correct errors in inferior judicatories by writ of *certiorari*, and to grant new trials in the Superior Court on proper and legal grounds.

8. It shall have power to issue writs of mandamus, prohibition, *scire facias*, and all other writs which may be necessary for carrying its powers fully into effect.

9. The Superior and Inferior Courts shall have concurrent jurisdiction in all other civil causes, which shall be tried in the county where the defendant resides.

10. In cases of joint obligors, or joint promissors or co-partners, or joint trespassers residing in different counties, the suit may be brought in either county.

11. In case of a maker and indorser or indorsers of promissory notes residing in different counties in this State, the same may be sued in the county where the maker resides.

12. The Superior and Inferior Courts shall sit in each county twice in every year, at such stated times as

have been or may be appointed by the General Assembly.

SECTION 3.

1. The judges shall have salaries adequate to their services fixed by law, which shall not be diminished during their continuance in office; but shall not receive any other perquisites or emoluments whatever, from parties or others, on account of any duty required of them.

2. There shall be a State's Attorney and Solicitors appointed in the same manner as the Judges of the Supreme Court and commissioned by the Governor; who shall hold their offices for the term of four years, or until their successors shall be appointed and qualified, unless removed by sentence on impeachment, or by the Governor, on the address of two-thirds of each branch of the General Assembly. They shall have salaries adequate to their services fixed by law, which shall not be diminished during their continuance in office.

3. The Justices of the Inferior Courts shall be elected in each county by the persons entitled to vote for members of the General Assembly.

4. The Justices of the Peace shall be elected in each district by the persons entitled to vote for members of the General Assembly.

5. The powers of a Court of Ordinary and of Probate, shall be vested in an Ordinary for each county, from whose decisions, there may be an appeal to the Superior Court, under regulations prescribed by law. The ordinary shall be ex-officio clerk of said Court, and

may appoint a deputy-clerk. The Ordinary, as clerk, or his deputy, may issue citations and grant temporary letters of administration, to hold until permanent letters are granted; and said Ordinary, as clerk, or his deputy, may grant marriage licenses.

The Ordinaries in and for their respective counties shall be elected, as other county officers are, on the first Wednesday in January, 1864, and every fourth year thereafter, and shall be commissioned by the Governor for the term of four years. In case of any vacancy of said office of Ordinary, from any cause, the same shall be filled by election, as is provided in relation to other county officers, and until the same is filled, the Clerk of the Superior Court for the time being shall act as Clerk of said Court of Ordinary.

ARTICLE V.

1. The electors of Members of the General Assembly shall be free white male citizens of this State; and shall have attained the age of twenty-one years; and have paid all taxes which may have been required of them, and which they have had an opportunity of paying, agreeably to law, for the year preceding the election; and shall have resided six months within the district or county.

2. All elections, by the General Assembly, shall be *viva voce*, and when the Senate and House of Representatives unite for the purpose of electing, they shall meet in the Representative chamber, and the President of the Senate shall in such cases preside, and declare the person or persons elected.

3. In all elections by the people, the electors shall vote by ballot, until the General Assembly shall otherwise direct.

4. All civil officers shall continue in the exercise of the duties of their several offices, during the periods for which they were appointed, or until they shall be superseded by appointments made in conformity with this Constitution; and all laws now in force shall continue to operate, so far as they are compatible with this Constitution, until they shall expire, be altered or repealed; and it shall be the duty of the General Assembly to pass all necessary laws and regulations for carrying this Constitution into effect.

5. All militia and county officers shall be elected by the people in such manner as the General Assembly may by law direct.

6. This Constitution shall be amended only by a Convention of the people called for that purpose.

7. This Constitution shall not take effect until the same is ratified by the people. And to this end, there shall be an election held at all the places of public election in this State, on the first Tuesday in July, 1861, when all the citizens of this State entitled to vote for Governor, shall cast their ballot either for "Ratification" or "No Ratification." The election shall be conducted in the same manner as general elections, and the returns shall be made to the Governor. If a majority of the votes cast shall be for *Ratification*, the Governor shall by proclamation, declare this Constitution adopted by the people. But if for *No Ratification*, that fact shall

be proclaimed by the Governor, and this Constitution shall have no effect whatever.

Done in Convention of the Delegates of the people of the State of Georgia, at Savannah, on the 23rd day of March, in the year of our Lord eighteen hundred and sixty-one.

In testimony whereof, the President of said Convention has hereunto set his hand, and caused the same to be attested by the Secretary thereof.

The Report was taken up, read, and unanimously adopted, and was then signed by the President.

Mr. Cobb offered the following Resolution, which was taken up, read, and adopted:

Resolved, That the Governor shall, by Proclamation, call on the proper officers, to hold the election required by the Constitution.

Mr. Briscoe, from the Committee on Enrollment, made the following

REPORT:

Mr. President: The Committee on Enrollment report as duly enrolled and ready for the signature of the President, the following ordinances, to-wit:

AN ORDINANCE,

To pay the Volunteer force now employed in the service of the State. Also,

AN ORDINANCE.

To alter and fix the time of electing the Governor and members of the General Assembly. Also,

AN ORDINANCE.

To organize the Congressional Districts of the State, and for other purposes.

AN ORDINANCE.

To define the number of men who shall compose a company, in the two regular Regiments of Infantry.

AN ORDINANCE.

To define the extent of duration of the Ordinances passed by this Convention.

Also the following Resolutions:

Resolutions for the transfer of the troops of the State to the Government of the Confederate States.

Resolutions relative to the continuance of Provisional Government, etc.

All of which were signed by the President and transferred to the office of the Secretary of State.

Luther J. Glenn, Esq., the Commissioner on the part of Georgia to the State of Missouri, briefly addressed the Convention, upon the subject of his mission to that State, and asked leave to report in writing, and that said Report be printed in the Appendix to the Journal of the Convention.

The leave asked for was granted.

Mr. Hood then moved that the Convention do adjourn, *sine die*.

The motion prevailed.

Whereupon, the President remarked, that "A man must be insensible to the social sympathies with which he is surrounded, not to feel and appreciate the approval by others of his conduct; secondary only to consciousness of rectitude, which usually is less in act than intention. Yielding to this influence, so congenial with our better nature, I can only offer in return for your kind expression as to the manner in which my official duties have been performed, and say in familiar, yet cordial language, that I thank you. Joining in the general opinion, and referring to my own observation of other large deliberative bodies. I venture to say, that I have seen none, which surpasses this Convention in general decorum and all the amenities of social life. Whatsoever of patriotic devotion and intellectual strength have been displayed here, may be safely trusted to the judgments of men of distant times.

Indulge me with a short retrospective of what you have done:

When first assembled, there was less disagreement as to the burthen of our grievances than to their remedy, and especially as to the time of its application. Happily conciliation produced concord. When our common patroness spoke, her sons, less from opinion than instinct, forgetful of the past and mindful of the future, rallied to the rescue. Grasping each other with a fraternal

grasp, they were less intent on sharing in the glory than participating in a common peril and a common destiny. Thus may the sons of Georgia ever be!

You have overturned a Government which had become sectional in policy and sectional in hostility. It had lost nationality, and the first requisite of every Government—that of protection of person and property. True, you have overthrown the Federal Union, but you have preserved the Federal Constitution. You have retained ancestral wisdom in the formation of your Government, separated only from those abuses which experience has developed. In short, you have effected a political reformation.

Like your ancestors, you commenced with a few leading ideas or principles. They may be epitomized thus: A right, when assailed, must be either defended or surrendered, and that a similarity of interest must produce a similarity of action. The alternative of the first proposition you have chosen. That choice must and will be vindicated. Of the second you have made an election, which your experience justifies and all history proves.

In the revision of your State Constitution, you have, in my judgment, improved it by each alteration made in it. Whatever may have been heretofore the high standard of your judges, that standard will be advanced still higher to independence and legal attainments. Reduction of members of the Legislature may not have gone as far as many others have desired; still as a thing, *per se*, it can not be otherwise than acceptable. In all such matters, we must make concessions.

Nothing remains, after bidding you a cordial adieu, and wishing to each a safe return to his home, but to declare as I now do, that this Convention is finally adjourned."

GEORGE W. CRAWFORD,

President of the Convention.

A. R. LAMAR, *Secretary.*

APPENDIX NO. 1.

SOUTH CAROLINA.

MILLEDGEVILLE, GA., 16 January, 1861.

HON. GEORGE W. CRAWFORD,

President of the Georgia State Convention:

SIR: I have the honor to enclose you herewith my credentials as Commissioner from the Convention of the State of South Carolina to the Convention of the people of the State of Georgia.

In execution of the trust confided to me, I also enclose you a copy of the ordinance of secession passed by the Convention, on the 20th of December, 1860.

I am instructed by the Convention of South Carolina to submit to the Convention of Georgia, "as a basis of a provisional government for such States as shall have withdrawn from their connection with the Government of the United States of America, the Federal Constitution, provided that the said provisional government and the tenures of all officers and appointments arising under it shall cease and determine in two years from the first day of July next, or when a permanent government shall have been organized."

I am likewise instructed to "invite the seceding States to meet in convention at such time and place as may be agreed upon for the purpose of forming and putting in

motion such provisional government, so that it shall be organized and go into effect at the earliest period previous to the 4th of March, 1861; and that the same convention shall then proceed forthwith to consider and propose a Constitution and plan for a permanent government for such States, which proposed plan shall be referred back to the several State conventions for their adoption or rejection."

The Convention further suggests that each of the seceding States "send to the general convention as many deputies as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States."

The Convention of South Carolina have elected eight deputies to represent them in the general convention, but declined to indicate either time or place for its meeting.

The State of Alabama having proposed the 4th of February as the time and the city of Montgomery as the place for the assembling of the general convention, I feel myself fully authorized to say that the time and place will be entirely acceptable to the Convention of South Carolina.

You will please lay before the Convention this communication and its enclosures.

I have the honor to be, sir, very respectfully,

Your obedient servant,

JAMES L. ORR,

Commissioner from South Carolina.

THE STATE OF SOUTH CAROLINA.

WHEREAS, James L. Orr has been duly elected by a vote of the Convention of the people of South Carolina to act as a Commissioner to the Convention of the people of the State of Georgia, and the said Convention of the people of the State of South Carolina has ordered the Governor of said State to commission the said James L. Orr. Now, therefore, I do hereby commission you, the said James L. Orr, to act as a Commissioner from the State of South Carolina in Convention assembled, to the State of Georgia in Convention assembled, to confer upon the subjects entrusted to your charge.

WITNESS, His Excellency, Francis W. Pickens, Governor and Commander-in-Chief of the said State, this second day of January in the year of our Lord one thousand, eight hundred and sixty-one, and the eighty-fifth year of the sovereignty and independence of the State of South Carolina.

F. W. PICKENS.

By the Governor :

JAMES A. DUFFUS,

Deputy Secretary of State.

THE STATE OF SOUTH CAROLINA.

At a Convention of the People of the State of South Carolina, begun and holden in Columbia, on the seventeenth day of December, in the year of our Lord one thousand, eight hundred and sixty, and thence continued by adjournment to Charleston, and there, by divers adjournments, to the twentieth day of December in the same year ;

AN ORDINANCE

To dissolve the union between the State of South Carolina and other States united with her under the compact entitled "the Constitution of the United States of America."

We, the People of the State of South Carolina in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

That the Ordinance adopted by us in Convention, on the twenty-third day of May, in the year of our Lord one thousand, seven hundred and eighty-eight, whereby the Constitution of the United States of America was ratified, and also, all acts and parts of acts of the General Assembly of this State, ratifying amendments of the said Constitution, are hereby repealed; and that the union now subsisting between South Carolina and other States, under the name of the United States of America, is hereby dissolved.

Done at Charleston, in the year of our Lord one thousand, eight hundred and sixty.

D. F. JAMISON, *President.*

Attest: B. F. ARTHUR, *Clerk.*

*(Letter of John Gill Shorter, Commissioner of Alabama,
to the President of the Georgia Convention.)*

MILLEDGEVILLE, GA., January 16, 1861.

HON. GEORGE W. CRAWFORD,

President of the Convention of the State of Georgia:

SIR: I have the honor herewith to transmit the certificate of my appointment as Commissioner from the State of Alabama to the Convention of the State of Georgia, and also a duly authenticated copy of the ordinance of secession and accompanying resolutions adopted by the Convention of Alabama, on the 11th instant; together with a resolution of the Convention concerning my instructions, in which I am particularly directed to request of the Convention of the State of Georgia the consideration of and concurrence in the first resolution adopted by the Convention of the State of Alabama, inviting the people of Georgia and of the other slaveholding States to meet the people of Alabama, by their delegates, in convention, on the 4th day of February, 1861, at the city of Montgomery, in the State of Alabama, for the purpose of consulting with each other as to the most effectual mode of securing concerted and harmonious action in whatever measures may be deemed most desirable for our common peace and security, it being the desired purpose of the people of Alabama to meet the slaveholding States, who may approve such purpose, in order to frame a provisional as well as a permanent

government upon the principles of the Constitution of the United States.

I have the honor to be, with high consideration,

Your obedient servant,

JOHN GILL SHORTER.

(Commission of John Gill Shorter as State Commissioner from Alabama.)

MONTGOMERY, ALA., Dec. 21, 1860.

EXECUTIVE DEPARTMENT.

Whereas, The election of Abraham Lincoln, a Black Republican, to the Presidency of the United States, by a purely sectional vote, and by a party whose leading and publicly avowed object is the destruction of the institution of slavery as it exists in the Slaveholding States; and whereas the success of said party and the power which it now has and soon will acquire, greatly endanger the peace, interests, security, and honor of the Slaveholding States, and make it necessary that prompt and effective measures should be adopted to avoid the evils which must result from a Republican administration of the Federal Government. And the interests and destiny of the Slaveholding States are the same, they must naturally sympathize with each other; they, therefore, so far as may be practicable, should consult and advise together as to what is best to be done to protect their mutual interests and honor.

Now, therefore, in consideration of the premises, I, Andrew B. Moore, Governor of the State of Alabama, by

virtue of the general power in me vested, do hereby constitute and appoint Hon. John Gill Shorter, a citizen of said State, a Commissioner to the sovereign State of Georgia to consult and advise with his Excellency, Governor Joseph E. Brown and the members of the Convention to be assembled in said State, as to what is best to be done to protect the rights, interests, and honor of the Slaveholding States, and to report the result of such consultation in time to enable me to communicate the same to the Convention of the State of Alabama to be held on Monday, the 7th day of January next, if practicable.

In testimony whereof I have hereunto set my hand, and caused the Great Seal of the State to be Affixed in the city of Montgomery, this 21st day of December, A. D. 1860.

A. B. Moore.

(Resolution of instruction to Commissioner)

MONTGOMERY, ALA., January 14, 1861.

HON. JOHN GILL SHORTER:

Dear Sir:—

The following resolution was passed by the Convention in session to-day:

“Resolved by the people of Alabama in Convention assembled, That the Commissioners heretofore appointed by the Governor of this State to the several States, be, and they are hereby directed to present to the conventions of said States the preamble, ordinance, and resolutions adopted by the people of the State of Alabama, in

Convention, on the 11th day of January, 1861, and to request their consideration of and concurrence in the first resolution.’’

With the above resolution is herewith transmitted to you, by order of the Convention, a certified copy of the preamble, ordinance and resolution referred to.

Respectfully,

William M. Brooks,

President of the Convention.

(Ordinance of Alabama.)

AN ORDINANCE.

To dissolve the union between the State of Alabama and other States united under the compact styled “the Constitution of the United States of America.”

Whereas, the election of Abraham Lincoln and Hannibal Hamlin to the office of President and Vice-President of the United States of America, by a sectional party, avowedly hostile to the domestic institutions and to the peace and security of the people of the State of Alabama, preceded by many and dangerous infractions of the Constitution of the United States by many of the States and people of the Northern Section, is a political wrong of so insulting and menacing a character as to justify the people of the State of Alabama in the adoption of prompt and decided measures for their future peace and security, therefore,

Be it declared and ordained by the people of the State of Alabama, in Convention assembled, That the State of Alabama now withdraws and is hereby withdrawn from the union known as "the United States of America," and henceforth ceases to be one of the said United States, and is, of right and ought to be a Sovereign and Independent State.

Sec. 2. *Be it further declared and ordained by the people of the State of Alabama in Convention assembled, That all the powers over the territory of said State, and over the people thereof, heretofore delegated to the Government of the United States of America, be and they are hereby withdrawn from said Government, and are hereby resumed and vested in the people of the State of Alabama.*

And it is the desire and purpose of the people of Alabama to meet the Slave-holding States of the South, who approve such purpose, in order to frame a provisional as well as permanent government upon the principles of the Constitution of the United States.

Be it resolved by the people of Alabama in Convention assembled, That the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky, and Missouri, be and are hereby invited to meet the people of the State of Alabama, by their delegates, in Convention, on the 4th day of February, A. D. 1861, at the City of Montgomery, in the State of Alabama, for the purpose of consulting with each other as to the most effectual mode of securing concerted and harmonious action in whatever measures

may be deemed most desirable for our common peace and security.

And be it further resolved, That the President of this Convention be, and he is hereby instructed to transmit forthwith a copy of the foregoing preamble, ordinance and resolutions to the Governors of the several States named in said resolutions.

Done by the people of the State of Alabama, in Convention assembled, at Montgomery, on this, the eleventh day of January, A. D. 1861.

WILLIAM M. BROOKS,

President of the Convention.

STATE OF MISSISSIPPI.

John J. Pettus, Governor of the State of Mississippi, to His Excellency, the Governor of the State of Georgia, Greeting:

Be it Known, that, reposing special trust and confidence in the ability, integrity and fitness of Hon. Thos. W. White, I have, in compliance with a resolution passed by the Legislature of this State, on the 30th day of November, A. D. 1860, appointed, and by these presents do appoint him a Commissioner from Mississippi, to proceed to the Capitol of Georgia, to inform the people of that Commonwealth, through their Executive, that the Legislature of this State has passed an Act calling a Convention of the people of the State, to consider the present threatening relations of the Northern and Southern sections of the United States—aggravated by the

recent election of a President upon principles of hostility to the States of the South, and to express the earnest hope of Mississippi that Georgia will co-operate with her in the adoption of efficient measures for the common defence and safety of the South.

Given under my hand, and the Great Seal of the State hereunto affixed, at the City of Jackson, this the 5th day of December, A. D. 1860.

JOHN J. PETTUS.

By the Governor:

C. A. BROUGHNER,

Secretary of State.

Resolved, That the Convention confirm the appointment of Commissioners heretofore made by the Governor of this State, under a resolution of the Legislature of Mississippi, the 30th day of November A. D. 1860.

Passed unanimously.

F. A. POPE, Secretary of the Convention.

CONVENTION BILL.

An Act to provide for a Convention of the people of the State of Mississippi.

SECTION 1. *Be it enacted by the Legislature of the State of Mississippi*, That an election for delegates to a Convention of the people of the State of Mississippi, shall be held in the several counties thereof, on Thursday, the twentieth day of December, 1860, and that said election shall be held at all the precincts established by law,

and shall be managed and conducted by the Sheriffs of other proper officers of the counties respectively, in the same manner, and according to the same rules and regulations, as are prescribed by law for the election of members of the Legislature. And it is hereby declared to be the duty of the Governor to issue his proclamation to the several Sheriffs of the State, at least ten days before the time appointed for holding said elections, requiring them to hold and conduct the same according to law, and the said Sheriffs shall advertise the time and place of holding said election for five days by publication in the several newspapers of their respective counties, and by posting notices at four public places in their counties.

SEC. 2. *Be it further enacted*, That each county shall be represented in said Convention by the same number of delegates as such county has of Representatives in the House of Representatives, including the representation of any city or town in any county.

SEC. 3. *Be it further enacted*, That any person shall be eligible to the said Convention who shall, at the time of the election, be a citizen of the State of Mississippi, and above the age of twenty-one years. Provided, That each delegate shall have resided in the county from which he is elected, for four months immediately prior to the secession of the Convention, and been a citizen of the State for twelve months prior thereto.

SEC. 4. *Be it further enacted*, That it shall be the duty of the Sheriff, or other proper returning officer, of every county, immediately after said election, to make a complete return to the Secretary of State, of the votes

cast for delegates in his county, and the certificate of election of the returning officer of the proper county, or of the Secretary of State in favor of any delegate, shall be evidence of his right to a seat in said Convention; subject, if contested, to decision by said Convention, in such manner as they may prescribe.

SEC. 5. *Be it further enacted*, That the delegates elected under the provisions of this Act, shall assemble at the Capitol of the State, on Monday, the seventh day of January, 1861, and organize themselves into a Convention by the election of a President, and such other officers as they may deem necessary, and the appointments of a suitable number of assistants, and shall proceed to consider the then existing relations between the Government of the United States and the Government and people of the State of Mississippi, and to adopt such measures for vindicating the sovereignty of the State, and the protection of its institutions, as shall appear to them to be demanded; said Convention shall adopt such rules and regulations for its government and the proper transaction of business, as they shall think proper. The officers, members and assistants of said Convention shall receive the same compensation as is now allowed by law to the officers, members and assistants of the Legislature, and the Auditor of Public Accounts shall issue his warrant on the Treasury of the State therefor, upon the certificate of the President of the amount due.

SEC. 6. *Be it further enacted*, That in case of vacancy occurring in said Convention, by death, resignation, or otherwise, of any member, it shall be the duty of the Governor to cause such vacancy to be filled, if practicable, by issuing his writ of election to the Sheriff of the

proper county, requiring him, on five days' notice, to hold an election according to law to fill the same.

SEC. 7. *Be it further enacted*, That this Act shall take effect from and after its passage.

J. A. P. CAMPBELL,

Speaker of the House of Representatives.

JAMES DRANE,

President of the Senate.

Approved, November 29, 1860.

JOHN J. PETTUS.

RESOLUTIONS

Of the State of Mississippi, declaring secession to be the proper remedy for the Southern States.

Whereas, The Constitutional Union was formed by the several States in their separate, sovereign capacity, for the purpose of mutual advantage and protection. That the several States are distinctly sovereignties, whose supremacy is limited so far only as the same has been delegated by voluntary compact to a Federal Government, and when it fails to accomplish the ends for which it was established, the parties to the compact have the right to resume, each for itself, such delegated powers. That the institution of slavery existed prior to the formation of the Federal Constitution, and is recognized by its letter, and all efforts to impair its value or lessen its duration by Congress, or any of the free States, is a violation of the compact of Union, and its destruction of

the ends for which it was ordained, but in defiance of the principles of the Union thus established, the people of the Northern States have assumed a revolutionary position towards the Southern States, that they have set at defiance that provision of the Constitution which was intended to secure domestic tranquility, among the States, and promote their general welfare, namely: "No person held to service or labor in one State under the laws thereof, escaping into another, shall in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due." That they have by voluntary associations, individual agencies, and State Legislation interfered with slavery as it prevails in the slaveholding States. That they have enticed our slaves from us, and by State intervention, obstructed and prevented their rendition under the fugitive slave law. That they continue their system of agitation obviously for the purpose of encouraging other slaves to escape from service, to weaken the institution in the slaveholding States, by rendering the holding of such property insecure, and, as a consequence, its ultimate abolition certain.

That they claim the right, and demand its execution by Congress to exclude slavery from the Territories, but claim the right of protection for every species of property owned by themselves.

That they declare in every manner in which public opinion is expressed, their unutterable determination to exclude from admittance into the Union any new State that tolerates slavery in its Constitution, and thereby force Congress to a condemnation of that species of

property. That they thus seek, by an increase of abolition States, "to acquire two-thirds of both houses," for the purpose of proposing an amendment to the Constitution of the United States, abolishing slavery in the States, and so continue the agitation, that the proposed amendment shall be ratified by the Legislatures of three-fourths of the States. That to encourage the stealing of our property, they have put at defiance that provision of the Constitution, which declares that fugitives from justice into another State, on demand of the Executive authority of the State from which he fled, shall be delivered up. That they have, in violation of the comity of all civilized nations, and in violation of the comity established by the Constitution of the United States, insulted and outraged our citizens, when traveling amongst them for pleasure, health, or business, by taking their servants, and liberating the same under the forms of State laws, and subjecting their owners to degrading and ignominious punishment. That they have sought to create domestic discord in the Southern States by incendiary publications.

That they encourage a hostile invasion of a Southern State to excite insurrection, murder and rapine.

That they have deprived Southern citizens of their property, and continue an unfriendly agitation of their domestic institution, claiming for themselves perfect immunity from external interference with their domestic policy, we of the Southern States alone made an exception to that universal quiet.

That they have elected a majority of Electors for President and Vice-President, on the ground that there exists an irreconcilable conflict between the two sections

of the Confederacy, in reference to their respective systems of labor, and in pursuance of their hostility to us and our institutions, thus declaring to the civilized world, that the powers of this Government are to be used for the dishonor and overthrow of the Southern section of this great Confederacy.

Therefore, Be it Resolved by the Legislature of the State of Mississippi, That in the opinion of those who now constitute the said Legislature, the secession of each aggrieved State is the proper remedy for these injuries.

J. A. P. CAMPBELL,

Speaker of the House of Representatives.

JAMES DRANE,

President of the Senate.

Approved, November 30, 1860.

JOHN J. PETTUS.

THE STATE OF MISSISSIPPI.

At a Convention of the people of the State of Mississippi, began and holden at Jackson, the seventh day of January, in the year of our Lord one thousand eight hundred and sixty-one:

AN ORDINANCE

To dissolve the union between the State of Mississippi and other States, united with her under the compact entitled the Constitution of the United States of America.

The people of the State of Mississippi, in Convention assembled, do ordain and declare, and it is hereby ordained and declared as follows, to-wit:

SECTION 1st. That all the laws and ordinances by which the said State of Mississippi became a member of the Federal Union of the United States of America, be and the same are hereby repealed; and that all obligations on the part of the said State or the people thereof, to observe the same be withdrawn; and that the said State doth hereby resume all the rights, functions, and powers which by any of said laws or ordinances, were conveyed to the Government of the said United States, and is absolved from all the obligations, restraints and duties incurred to the said Federal Union, and shall from henceforth be a free, sovereign, and independent State.

SEC. 2d. That so much of the first Section of the seventh article of the Constitution of this State, as requires members of the Legislature, and all officers, executive, and judicial, to take an oath or affirmation to support the Constitution of the United States, be and the same is hereby abrogated and annulled.

SEC. 3d. That all rights acquired and vested under the Constitution of the United States, or under any act of Congress passed, or treaty made in pursuance thereof, or under any law of this State, and not incompatible with this ordinance, shall remain in force, and have the same effect as if this ordinance had not been passed.

SEC. 4th. That the people of the State of Mississippi, hereby consent to form a Federal Union, with such of the States as may have seceded, or may secede from the Union of the United States of America, upon the basis

of the present Constitution of the said United States, except such parts thereof as embrace other portions than such seceding States.

Done at Jackson, the ninth day of January, in the year of our Lord one thousand eight hundred and sixty-one.

WILLIAM S. BARRY, President.

Attest: F. A. POPE, Clerk.

THE STATE OF LOUISIANA.

AN ORDINANCE

To dissolve the union between the State of Louisiana and other States united with her under the compact entitled “the Constitution of the United States.”

We, the people of the State of Louisiana, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the ordinance passed by us on the 22d day of November, in the year eighteen hundred and eleven, whereby the Constitution of the United States of America, and the amendments of said Constitution were adopted, and all laws and ordinances by which the State of Louisiana became a member of the Federal Union, be and the same are hereby repealed and abrogated; and that the Union now subsisting between Louisiana and other States under the name of “the United States of America” is hereby dissolved.

We do further declare and ordain, That the State of Louisiana hereby resumes all rights and powers heretofore delegated to the Government of the United States

of America; that her citizens are absolved from all allegiance to said government, and that she is in full possession and exercise of all those rights of sovereignty which appertain to a free and independent State.

We do further declare and ordain, That all rights acquired and vested under the Constitution of the United States, or any act of Congress, or treaty, or under any law of this State and not incompatible with this ordinance shall remain in force, and have the same effect as if this ordinance had not been passed.

Adopted in Convention, at Baton Rouge, this twenty-sixth day of January, eighteen hundred and sixty-one.

Signed by the

HON. ALEXANDER MOUTON,

President of the Convention of the State of Louisiana.

A true copy of the original.

J. THOMAS WHEAT,

Secretary of the Convention.

THE STATE OF LOUISIANA.

RESOLUTION

In reference to free navigation of the Mississippi river.

Resolved, That we, the people of the State of Louisiana, recognize the right of the free navigation of the Mississippi river and its tributaries by all friendly States bordering thereon. And we also recognize the right of egress and ingress of the mouths of the Mississippi river

by all friendly States and powers; and we do hereby declare our willingness to enter into any stipulations to guarantee the exercise of said rights.

Adopted in Convention, at Baton Rouge, this twenty-sixth day of January, eighteen hundred and sixty-one.

(Signed)

A. MOUTON,

President of the Convention of the State of Louisiana.

A true copy from the original.

J. THOMAS WHEAT,

Secretary of the Convention.

THE STATE OF LOUISIANA.

AN ORDINANCE

To provide for the appointment of delegates to a Convention to form a Southern Confederacy.

We, the people of Louisiana, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

FIRST, That this Convention will be, on the thirtieth day of January instant, at the hour of 12 m., proceed to elect *viva voce*, six delegates, two from the State at large, and one from each Congressional District, to represent this State in the Convention of seceding States proposed to be held at Montgomery, in the State of Alabama, on the fourth day of February, eighteen hundred and sixty-one, for the purpose of securing concerted and harmonious action, and also of forming a provisional govern-

ment for those States which have seceded, and which may secede, and intend to form a Southern Confederacy.

SECOND, That the said delegates be instructed to aid in forming a provisional government on the basis of the Constitution of the United States for such States as have seceded or may secede, to be established and put in operation before the fourth day of March, 1861, and that the same Convention of seceding States shall proceed forthwith to consider and propose a Constitution and plan for a permanent government of such States, which proposed plan shall be referred back to the several State Conventions for their adoption or rejection.

THIRD, That this Convention accepts the recommendation of the State of South Carolina that each State be entitled to one vote in the said Convention upon all questions which may be voted upon therein; and that each State send as many delegates as are equal in number to the number of Senators and Representatives to which it was entitled in the Congress of the United States.

FOURTH, That if from any cause, the said Convention should not assemble at the time and place above mentioned, then, and in that event, the said delegates be, and they are hereby accredited to any Convention of seceding States which may meet at any other time and place, having for its object the formation of a government and the establishing of a Confederacy, as herein before prescribed, and which may adjourn to meet at any other time and place.

Adopted in Convention, at the city of New Orleans,

this twenty-ninth day of January, eighteen hundred and sixty-one.

(Signed)

A. MOUTON,

President of the Convention.

A true copy of the original.

J. THOMAS WHEAT,

Secretary of the Convention.

(Report of D. C. Campbell, Esq., Commissioner from
Georgia to Delaware.)

MILLEDGEVILLE, March 4th, 1861.

*To the Honorable the President and Members of the
Convention of the People of Georgia:*

In pursuance of my appointment by your body as Commissioner to the State of Delaware, I have visited Dover, the Capital of that State, and, to the best of my ability, discharged the trusts you confided to me. On my way thither, at Washington City, I learned from those most competent to give information, the state of public sentiment in Delaware in regard to questions connected with the objects of my mission; that a large majority of the people were aggrieved at the aggressions of the Northern upon the Southern States; that their sympathies and interests were with the latter, and that on the withdrawal of Virginia and Maryland from the United States, Delaware would unquestionably follow them and unite her destinies with the Confederate States of the

South. I learned also that the Legislature of the State, then in session, was not regarded as a true exponent of the sentiments of the people on these points, and was advised to address myself to the Executive. On reaching Dover, I found that one branch of the Legislature, the Senate, had a majority of one, known and recognized as Democrats, and the other branch, a majority of one, though not elected such, called and regarded as Republicans. After a long, social and satisfactory interview with His Excellency Gov. Burton, and a consultation with a number of leading and prominent men of the State, most friendly to the object of my mission, all of whom concurred in the opinion that the objects I had in view would be best promoted by addressing myself to the Executive, I concluded to make no application for a hearing before the Legislature. Accordingly I addressed a communication to the Governor setting forth the objects of my mission and briefly discussing the advantages that would result to Delaware by her union with a Southern Confederacy, and enclosed therein the documents I had been instructed to lay before the constituted authorities of the State. The Governor promptly transmitted my communication to the Legislature, without any comment, except that in his message accompanying it he renewed a previous recommendation for a call of a Convention of the people to take into consideration the questions then agitating the country. The Senate immediately took up the message for consideration and adopted a resolution, in substance, affirming that Delaware appreciated the courtesy of Georgia in sending a Commissioner to her; that in view of her location and the state of things existing in the States around her, the time for action on her part had not arrived, and that when it did come, Dela-

ware would pursue that course that would best promote her interests. The House postponed for the present any action on the message of the Governor, and I have not yet learned what, if any, has been its action on the subject. It was expected the Legislature would continue its session till after the 4th of March, that it might mark out its future course by the events of that day. Hence it may be, that the final action of the Legislature has not yet been forwarded to me.

I can not conclude this report without giving it as my decided opinion, formed upon the declarations made to me by a large number of the prominent and leading men of Delaware, including some who have heretofore filled her Executive chair and represented her in both branches of the Congress of the United States, members of all parties into which the country has heretofore been divided, that whenever Virginia and Maryland shall withdraw from the Union, Delaware would follow in their footsteps. She will not consent to unite her destinies with a Northern Confederacy while she can form an alliance with one at the South, with which she is more identified by interest and to which she is drawn by sentiment and sympathy.

It is due to the State of Delaware and to myself, that I should gratefully acknowledge, as I here do, the kindness and courtesy extended to me, as your humble representative, by the Executive and other officers and citizens of Delaware with whom, during my visit, I was thrown in contact.

A copy of my communication to Gov. Burton accompanies this report.

With great respect,

Your obedient servant,

D. C. CAMPBELL.


(Copy of communication addressed to the Governor of Delaware by D. C. Campbell, Commissioner, etc.)

DOVER, DEL., Feb. 12th, 1861.

His Excellency Gov. BURTON :

Dear Sir: I have already had the honor to place in your hand my credentials accrediting me as a Commissioner to the State of Delaware, from a Convention of the people of the State of Georgia, recently assembled at her capital. The object of my mission is two-fold. 1st. To lay before the constituted authorities of your State the ordinance of secession, by which the State of Georgia has repealed the ordinance by virtue of which she became a member of the late Confederacy known as the United States of America, has withdrawn from that Confederacy, and has declared herself a free, sovereign and independent State. The second object of my mission is, in the name of my State, to invite the co-operation of Delaware, with Georgia and the other seceding States, in the formation of a Southern Confederacy.

In obedience to my instructions, I beg leave to lay before you the following documents, all of which are enclosed:



1st. A resolution of the Georgia Convention declaring it the right and duty of Georgia to secede from the Union.

2d. An authenticated copy of the ordinance of secession.

3d. A resolution of the Convention uniting with Alabama in the invitation to the State of Delaware, to send Commissioners to represent her at Montgomery, Ala.

4th. A resolution of the Convention appointing Commissioners to Delaware and other States and defining their duties.

I beg leave respectfully to ask you to take into consideration these documents, exhibiting the objects of my mission, and if you approve the measure, to lay the same before the Legislature.

You will perceive that the prominent object of my mission is to invite the co-operation of Delaware in the formation of a Southern Confederacy. Georgia, in the movement she has made, has not acted in haste or with precipitancy, nor without calm deliberation, and after having counted the cost. She did not withdraw from the Union till she had lost all hope of being able to maintain the rights and equality guaranteed to her by the compact into which she had entered, and to enjoy the domestic tranquility which was one of the prominent objects of that compact to secure to her. She has now passed the Rubicon, and with no intention of taking any steps backwards. Already in alliance with other of her sister and neighboring States who have formed a provisional gov-

ernment, and intend speedily to organize a permanent government upon the basis of the Constitution of the United States, she looks with interest to those of the slaveholding States who have not yet cast their lot with her, and from whom she has been compelled to separate, not without feelings of deep and poignant regret. They have heretofore battled with her for the same rights, triumphed with her in the same successes, and mourned with her over the same reverses. Although it is well known in Georgia that Delaware, in proportion to her population, has not as deep an interest in the institution of slavery as the other border slaveholding States, yet it is well known that she is identified with Georgia in interest, more so in sentiment, in principle, and in sympathy; and it is confidently believed is destined, ere long, under the force of events rapidly crowding upon her, to be identified with her in action and in her future destiny.

It is no part of my duty to indicate to the State of Delaware what course it may comport with her honor or her interest to pursue, yet pardon me in making the suggestion that the Cotton States are agricultural in the pursuits of their people, and have heretofore been dependent on the Northern States mainly for the products of manufacturing and mechanical labor. Hereafter they will look for these products across the Atlantic, if they can not be furnished by States in alliance with them. Those Southern border States, therefore, who are far advanced in manufacturing and mechanical skill have now tendered to them the entire South for a market, and that without a rival.

One other consideration. Free trade or an approximation to it will probably prevail in the Southern Con-

federacy. Delaware has her sea ports. Is it unreasonable to suppose that under the high protective tariffs that will prevail in the Northern Confederacy, that those sea ports may attach to them when they can sell goods at lower prices, because imported under a lower tariff, an extensive and valuable commerce which never heretofore has reached them? But on this topic I forbear.

I have only to add, that it is the sincere and earnest desire of the State of Georgia that all the Slaveholding States may be united in the Confederacy, the nucleus of which is already formed, and that Delaware will be among them, exhibiting as she has done in the Union that has ceased to exist, her full quota of talent and moral worth, and contributing her full quota to its prosperity.

With sentiments of profound respect, I have the honor to be,

Respectfully,

Your obedient servant,

D. C. CAMPBELL.

(Report of Gen. J. W. A. Sanford, Commissioner from Georgia to Texas.)

MILLEDGEVILLE, March 7th, 1861.

Sir:—It is known to your honorable body, that on the day after my appointment as Commissioner to Texas, I set out for the city of Austin, the Capital of that State. Upon my arrival at that point, I found its Convention in session, and forthwith proceeded to make known the object of my mission. I am happy to inform you that

body of enlightened statesmen and patriots, cordially endorsed the late action of Georgia, and their people, not less cordial in their approval of her course, have followed her example and proclaimed in the last four days, with almost one voice for Southern independence and the establishment of a Southern Confederacy. Although their determination, in this respect, from its public notoriety must have already reached you through different channels, yet I have considered it proper in closing my embassy, to authenticate the fact by communicating it officially to your honorable body.

From the evidence which this spirited and patriotic race of men have thus given of their loyalty and devotion to Southern rights, I feel that I pay but a just tribute to the courage and patriotism of the people of Texas, in saying, having upon mature deliberation, adopted this measure as *a last resort to protect their interests and institutions from Northern encroachment and usurpation, and to vindicate their honor and character from the ignominious imputation of abject submission to wanton outrage and insult, they will stand by their act "at every hazard and to the last extremity."* In my admiration of their conduct *I can not but contrast their noble attitude with the humiliating supplicating posture of others vainly begging upon their knees, as a gracious boon what as freemen and equals they should demand with arms in their hands.*

Upon the occasion of this most welcome and valued accession to our cause, I rejoice that it is our privilege to hail the "Lone Star" as one of the Southern Constellation, making now our number seven. Like the seven stars of the Heavens, may they revolve harmoniously

in their orbit, increasing in beauty and splendor in their onward and upward course; unlike the fabled Pleiades of antiquity, may no one of their number shoot madly from its sphere, unhappily doomed to become an isolated wanderer, with no fixed track until all set to rise no more.

I have the honor to be with sentiments of high consideration, your most obedient servant,

J. W. A. SANFORD.

HON. GEORGE W. CRAWFORD,

President of Georgia Convention,

Savannah, Ga.

(Report of A. R. Wright Esq., Commissioner from Georgia to Maryland.)

SAVANNAH, March 13th, 1861.

To Hon. G. W. Crawford, President, etc.

Sir:—Under your appointment of myself as Commissioner to Maryland, I visited that State on the 18th ult., and found in session on that day in the city of Baltimore, a Convention of her people assembled to take advisory action upon the condition of the country.

This Convention, I learned, was not a legally constituted body, authorized to take definite and binding action, but was a voluntary assemblage of the people, which had no power to commit their State to any line of policy. I did not therefore feel authorized under the ordinance of your body, prescribing the duties of your commission-

er, to lay before them the action of our State, or to hold any intercourse with them of an official character. I visited the Convention (unofficially,) and being invited to a seat on their floor, attended the meetings of the same during the two days of their session. I found the members of that Convention comprising as it did, a number of the best men and highest talent of the State, while they thought the Cotton States had acted with undue haste and precipitancy,—almost unanimous for resistance to Black Republican rule, and determined to co-operate with the seceding States, in the event that Virginia should determine to withdraw from the Federal Government. The situation of Maryland geographically, is such, that however mortifying it may be to her gallant sons, she is compelled to direct her action in concert with Virginia, that State and North Carolina, lying immediately between her and the Cotton States.

The Convention after a session of two days, adjourned to reassemble on the 12th inst., unless in the interval Virginia should take decided action, in which event they were to immediately re-assemble for binding and definite action. Before adjourning however, that body passed the following resolutions:

“The committee on resolutions, through their chairman, Hon. Robert McLane, submitted to the Convention the following resolutions:

Whereas, It is the opinion of this meeting, that in the present alarming crisis in the history of our country, it is desirable that the State of Maryland should be represented by judicious, intelligent, and patriotic agents, fully authorized to confer and act with our sister States of the South, and particularly with the State of Virginia.

And whereas, such authority can be conferred solely by a Convention of the people of the State.

And whereas, in the opinion of the meeting, the Legislature not being in session, a full and fair expression of the popular will is most likely to be heard by a Convention called by a recommendation of the Executive.

And whereas, it is alleged that the Governor now has it in contemplation to recommend by proclamation such a movement in the event of a failure by the Peace Conference and Congress to effect any satisfactory solution of the vexed question now agitating the country.

Be it therefore

Resolved, That we shall approve such a proceeding on the part of the Governor, and add the voice of this Convention to urge the voters of this State to regard such proclamation. And with a view to allow time for the action of the Governor in the matter, the Convention will adjourn until the 12th day of March next, unless intermediately the State of Virginia should by her sovereign Convention, secede from the Union, in which event and in case the Governor of the State shall not have then called a sovereign Convention of the people of this State, this Convention shall at once assemble at the call of the President, with a view of recommending to the people of this State, the election of delegates to such a sovereign Convention.

Resolved further, As the sense of this Convention, that the secession of the several slaveholding States from the Federal Union was induced by the aggression of the

non-slaveholding States, in violation of the Constitution of the United States.

Resolved further, That the moral and material interest, and the geographical position of this State demand that it should act with Virginia in this crisis, co-operating with that State in all honorable efforts to maintain and defend the Constitution rights of its citizens in the Union, and failing in that, to associate with her in confederation with our sister States of the Union.

Resolved further, That the honor of this State requires that it should not permit its soil to be made a highway for Federal troops, sent to make war upon our sister States of the South, and it is the opinion of this Convention that an attempt on the part of the Federal Government to coerce the States which have seceded, would necessarily result in civil war and the destruction of the government itself."

On the 25th of February, I visited for the third time, Annapolis, the seat of Government, (having failed while there on a former visit on the 21st, to meet the Executive) and waited upon Governor Hicks, and after a personal interview, and pretty free interchange of opinion with his Excellency, I handed to him the ordinance of secession, with which I was entrusted, and also a written communication in which I endeavored to justify and explain the action of the State of Georgia; and attempted to show that the material interests of Maryland would be greatly promoted and advanced by her co-operation with the seceding States. To this communication, (a copy of which is hereto attached,) I have received no reply, although upon the suggestion of Governor Hicks.

that he would favor me with a reply at his earliest convenience, I waited for two days to receive such communication as he should be pleased to make to your body.

In the absence of any written reply to my note of the 25th ult., I can only give to your honorable body the result of the personal interview I had with the Governor, and I regret to say that I found him not only opposed to the secession of Maryland from the Federal Union, but that if she should withdraw from the Union, he advised and would urge her to confederate with the middle States in the formation of a Central Confederacy. He also informed me that he had already, in his official character, entered into a correspondence with the Governors of those States, including New York, Pennsylvania, New Jersey, Delaware, Virginia, Missouri, and Ohio, with a view, in the event of an ultimate disruption of the Federal Union, to the establishment of such Central Confederacy. He thought our action hasty, ill advised, and not justified by the action of which we complain, and that we were attempting to coerce Maryland to follow our example, that he had great confidence in the Peace Conference then in session in Washington, and had assurances that the body would agree upon a plan of adjustment that would be entirely acceptable to Maryland—that the proposition before the Conference known as the Guthrie plan, was fair and proper basis of compromise and settlement. He also informed me in the course of our interview, and in answer to a direct enquiry from me on that point, that in the event of the Federal Government's attempting to coerce the seceded States, he would interpose no objection to the marching or transporting of troops through his State—and that he would *not* con-

vene the Legislature under such circumstances that they might take action in the premises. These opinions and views of the Governor's I have reason to believe are not entertained by a majority of the people of Maryland. Indeed, I have no doubt that the people there would spontaneously rise *en masse* and resist the invaders, though it encrimsoned their soil with the best blood of the State. The people, then, in my humble judgment, are true to the memories of the past. They are gallant, patriotic, and brave people, whose feelings and sympathies are warmly enlisted in our cause; and although some of them do entertain the opinion that we have, perhaps, acted precipitately, they acknowledge that our action is fully justified by the events of the past, and declare their determination to assist us if need be, in sustaining our independence. It is greatly to be regretted that such a gallant people should be prevented by their own officials, however high they may be, from giving an authoritative expression of their conviction and taking such action, as, in their judgment, the affairs of the country demand. Without the consent of Governor Hicks, neither the Legislature nor an authorized Convention, can be assembled, and I have no hesitancy in stating that he will never convene either. If Virginia shall withdraw from the Union, the people of Maryland will, in the shortest possible period of time, assume the responsibility, assemble in spontaneous Convention, and unite their destinies with the Confederate States of the South.

In conclusion, I would respectfully add, that this communication would have been made at an earlier day, but that I waited, hoping to receive an answer from Gov.

Hicks, before I laid before your body the result of my mission.

I have the honor to be, very respectfully,

Your obedient servant.,

A. R. WRIGHT.

ANNAPOLIS, MD., February 25th, 1861.

To His Excellency Thomas H. Hicks, Governor, etc.

Sir: I have the honor herewith to enclose to your Excellency a copy of "an Ordinance to dissolve the Union between the State of Georgia and other States, under a compact of Government entitled 'The Constitution of the United States of America,' " passed by the people of Georgia, in Convention recently assembled, at the Capitol in Milledgeville; also, a copy of an Ordinance passed by the same body for the appointment of Commissioners to each of the non-seceded slaveholding States; together with my appointment as the Commissioner of Georgia to the tSate of Maryland.

The Ordinance creating the office I have the honor to hold, makes it a part of my duty to urge upon the State of Maryland the policy of withdrawal, or secession, from the power known as the United States, and co-operation with the State of Georgia, and other independent Southern States, in the formation of a new Confederation and Union, for the mutual defence, protection and welfare of the Southern States, and for the promotion of the happiness of their citizens.

The people of Georgia have labored for years past, with anxious solicitude, for the preservation of the Federal Union, and have made many sacrifices, both of rights and of honor, to avoid the dire necessity of resistance to Federal encroachments, and Northern insults and injuries.

This pacific and yielding policy of her people, has been received at the North as merely increasing evidence of our weakness and utter dependence upon the Federal Union for protection and happiness.

It can not be denied that for more than thirty years, the Northern people have been waging a violent, inflammatory and wholly unjustifiable war upon the institution of domestic slavery as it exists in the Southern States—an institution which underlies our whole social system, and upon the perpetuity of which, depends in a large degree, the wealth, prosperity, and general welfare of the entire South.

First commencing their attacks upon slavery in the States, they continued their assaults, until the united South, assisted by a large and respectable portion of the people of the non-slaveholding States, with common intent, met at the ballot boxes of the country, and overwhelmed them with defeat and shame. The old "Abolitionist" party proper, never commanded the respect, nor received the support of any considerable number of the Northern people; and hence their attacks, although highly insulting and highly aggravating in their character, and clearly violate of their constitutional obligations, were harmless, except so far as they tended to inflame

the passions, arouse, the jealousies, and excite the hatred of the Southern mind.

The people of Georgia, while they have ever abhorred the canting philanthropy and the religious intolerance, and treasonable machinations of the "abolitionists," have heretofore cherished a kindly and fraternal regard, and on all suitable occasions, have manifested a warm and cordial appreciation of the intelligence, virtue and patriotism of the great body of the Northern people, who have in the past so nobly breasted the popular clamor and blind fanaticism of their own section, in defence of the Constitutional rights of the South.

The increase of our public domain acquired by our contest with Mexico—a contest in which, without disparagement to any, it may be said that the South contributed as much of men and of means, and shared as much of the common glory won upon those ensanguined battle fields, as any other portion of the Confederacy—gave birth to a new organization, which sprung from the dead body of abolitionism, having for its avowed object the preservation of this acquisition from what they pleased to term the "blasting effects of involuntary servitude."

Disappointed office hunters, ambitious politicians, and corrupt demagogues, found here a common ground from which to make their assaults upon the Constitution and the Union, and by which, they were borne into importance and power. The result of the recent Presidential election has shewn but too well the sagacity of their movement, and the success of their organization, had we not been already convinced of their power—and their power for harm—by their absolute control of the State

Governments of the entire anti-slavery portion of the Confederacy. Contemporaneous with the success of this corrupt and treasonable organization, has been the melting away of the old conservative element there, until it has ceased to be able to make itself potent for the preservation of our Constitutional rights.

It is hardly necessary that I should attempt to enumerate the several acts of this new organization, for "they are read and known of all men," which have impelled the people of Georgia to the extreme measure of a total dissolution of the bonds by which they were joined and confederated with the States of the North in a common government. They have passed laws insulting and oppressive to us, and in open violation of the express letter of the Constitution; they have sought by acts of the Federal Congress to deprive us of all right to participation in the settlement of our common Territories; they have set on foot and organized emigrant aid societies, for the purpose of sending foreign and pauper immigrants into the Territories of the Union, to crush out and prevent immigration to those Territories from the Southern States; they have enticed from service our slaves, and refused, though the demand was made upon a clear and indisputable provision of the Constitution, to deliver them up to the lawful possession of their owners; they have with force and violence rescued our slaves from the possession of their masters who have been, with their families, temporarily sojourning in the Northern States; they have unlawfully torn from Southerners, who have been forced by stress of weather to touch at their ports, their entire property in domestic slaves, and their Courts of Justice, (so called) have sus-

tained them in the robbery; they have attempted by inflammatory and incendiary appeals made through the public presses, to incite our slaves to rebellion and insurrection; they have refused to render up for trial fugitives from justice, flying from crimes committed at the South, whenever the crimes with which they were charged were committed in relation to slavery, although the Federal Constitution declares it their duty so to deliver them up; they invaded the soil of a sister Southern State with an armed force, for the purpose of inciting insurrection, and have murdered in cold blood her quiet citizens; they have refused to deliver up for trial individuals charged with being accessory, before the fact, to such invasion, insurrection and murder; they have, in their State Legislatures, passed laws making it *felony*, and punishable with imprisonment for terms extending from two to fifteen years, for a master to assert upon their soil his rights to a fugitive slave; and finally, they have by a combination of all elements of antagonism to Southern institutions, in the non-slaveholding States, succeeded recently in the election of Abraham Lincoln to the Presidency of the United States, upon a platform of principles alike sectional in their character, and dangerous to the peace, welfare, and domestic tranquility of the slaveholding States.

With these startling facts before our eyes, what reasonable hope can be entertained that the Northern mind will undergo a change—will yield its prejudices? Can it be expected that a party which has been so long struggling for power upon an issue so inwoven with their religious fanaticism, will, in the full flush of their first and most decided victory, renounce the principles, and deny

the faith which has alone secured them place and power? They know but too well that utter ruin and disgrace at home, would follow close upon any adjustment or compromise which they might make, that would be satisfactory to the South. The long-gathering and destructive political storm which has recently swept the North from Maine to Minnesota, is but an earnest of the deep hatred and determined hostility of their people to our institutions. And now the first shock of the tornado has been received, and its fury spent upon our heads, is there yet discernable and indication of returning calm and quiet? Who has been able, up to this moment, to discern a single ray of hope in the dark and lowering northern horizon? What dove of promise has discovered the "dry land and the olive branch" in that great sea of intolerance and hatred?

The very existence of the Republican party is depending upon their firm and unwavering determination to enforce by all possible means the policy of crushing out African slavery in all its conditions and in all its strongholds. *The irrepressible conflict with them is but just begun.* Their mission is to annihilate slavery from the American continent, and to know no diminution of their labor until that object is accomplished. Do the Northern people intend to retrace their steps? Then why, as State after State has fallen from the Union, as star after star has been blotted from their flag, have they not long ere this, given us an earnest of their desire for conciliation and compromise?

With a commanding majority in both branches of the National Legislature the Northern States have failed, and refused, to take any action which would lead to the least

surrender of their treasonable designs, or afford the slightest encouragement to the Southern mind, of their willingness to perform, in good faith, their constitutional obligations. Weeks and months have been passed in the Federal Capital by the Representatives of the Nation, and not a single indication of returning wisdom has been given to our people. And while the whole powers of the Federal Government have been taxed to their utmost limits, in efforts to intimidate and coerce the Southern people, the subject of their grievances has been kept buried in the committee rooms of both houses of Congress, while day after day have our Representatives urged, nay *implored, immediate and pacific action*. The Executive at Washington, as the storm gathered close and thick around him, has discarded his long tried and faithful advisers, and has called to the supreme control of affairs both civil and military, a disappointed, ambitious military chieftain, whose only merit for such a trust is his partiality for *soup and slaughter and his hatred of Southerners and slavery*.

And even now when seven sovereign States have withdrawn from all connection with the Federal Government, when the entire South is alarmed and irritated by the success of the Republicans, they attempt to allay their fears and quiet their apprehensions by a display of Military force at and around Washington, and the adjourning States of Maryland and Virginia, wholly incompatible with the safety of those States, and utterly destructive to their liberties. These are the overtures of peace extended to us now by the Northern Federal Government, *Scott and scorpions, cannon and cartridge*.

But could the South in safety again rely upon the pledges of the North, were they in the possibility of events to be offered anew to us? What paper writing more solemn—what instrument so sacred—what compact so clear—what compromise so just as the Constitution of the United States? yet they have violated its spirit, broken its letter, and destroyed its vitality. By what bonds can such a people be held? They ignore the Bible, violate oaths—nullify the laws, and Pharasaically call upon Jehovah to guide and support them in their infamous course.

These are a few only of a long series of acts of hostility to the institutions of her people that have forced the State of Georgia to dissolve forever her connection with the Federal Government, and to declare herself what of right she is, and ought to be, *a free, sovereign and independent State*.

Georgia feels that she has not alone suffered wrong and injustice from the Northern States. Neither is it her individual wrong only, which has caused her recent action. She feels intensely the wrongs done and injuries inflicted upon her sister Southern States; and while it is true that her people have perhaps suffered less in some respects, than the people of Maryland and the entire border Southern States, she no less makes their wrongs her wrongs, and their cause her cause, and is prepared to take common action with her sister States, for the preservation of their common liberties, and the defence of their common rights at all hazards, and to the last extremity.

The *right* of Georgia to secede from the Federal Union for existing causes she does not admit to be a debatable question. As a sovereign State she threw off her allegiance to Great Britain in 1776. As a sovereign and independent State in 1788, she ratified and adopted the Federal Constitution; and as a sovereign State she has now repealed and annulled her former adoption and ratification of that Constitution, and has set up for herself an independence and equality among the nations of the earth, which she expects and demands shall be clearly and explicitly recognized and admitted. Still, recalling the blessings enjoyed, the wealth, power and happiness conferred upon her people, in the earlier days of the Republic under the operation of the Federal Union, and the Constitution as expounded and enforced by the patriot fathers of those days, she is anxious to associate herself with the slaveholding States, in a new confederate Republic upon the basis of the Old Union, and has elected delegates to represent her people in a Southern Convention now assembled at the city of Montgomery in the State of Alabama, for the purpose of organizing a provisional government for the seceding States, and the adoption of a Constitution, and establishment of a more perfect union among her several sister Southern States.

In this great work of re-organization she cordially invites the co-operation and assistance of the State of Maryland. She is not unmindful of the past history of your noble State, neither has she forgotten the proud names that cluster in undying glory upon the broad pages of your State's history. The people of Georgia feel a just and proper pride in the fame, the virtue, the intelligence and patriotism of your statesmen; while the

courage and bravery of your sons in the field have made their names as familiar to her people as "household words." The past of Maryland gives strong encouragement to Georgia to hope, that in the present trying exigency in which she, with her Southern sisters, from no fault of their own, find themselves placed, your gallant State will, though slowly it may be, yet surely be found side by side with the firmest in determined resistance to Black Republican rule. Maryland owes this to herself no less than to the other Southern States. The wealth, population and commercial importance of her great Metropolis, Baltimore, point out that city as the great commercial and financial centre of the Southern Republic. Under the oppression and unequal administration of the present Federal Government, she has maintained the third rank in the list of American cities. That she has natural and artificial advantages equal if not superior to New York and Philadelphia, is plain to the commonest observer. Under a friendly, or even a fair system of government, she would soon take rank among the first cities of the world. As long as Maryland continues a dependency upon the Northern Federal Government, restrictions, limitations and discriminations, will continue to be made against her commercial interests, and prosperity. Baltimore, from her natural advantages, no less than from her varied and extended commercial relations with the civilized world, will become the great importing agent for the entire South; whilst her facilities for, and her great proficiency in the art of ship-building will make her the carrier of our immense productions of rice, grain, cotton and sugar.

I cannot attempt in this place to point out fully all the material advantages to be gained by your State by

a cordial co-operation with the seceding States; nor do I think it proper or becoming in me, as the representative of Georgia, to urge your action upon such sordid and selfish considerations.

Georgia knows and feels the great embarrassments which surround the State of Maryland, and which renders her position a critical, and it may be a dangerous one. Still she feels that the descendants of Chase, of Carroll, and of Hauson and McHenry, can never be long deterred from proper action, by a consultation with their fears. Georgia is fully informed of the ample preparations made by the Federal Government to enforce from Maryland, even at the point of the bayonet, if need be, obedience to her will. She regrets that the seeming doubtful policy of your State, and her hesitation in taking a prompt and decided position with her Southern sisters in demanding redress of her grievances, has entailed upon her people the armed occupation by the Federal troops, of the fortresses within her borders, which were designed and constructed for her safety and defence. We are sensible that your position now, is far worse than it was a few weeks past; that the Federal Government anticipating your probable action in defence of your liberties, has, with a view to crush in its incipency, any feeling of resistance to her foul domination, placed cords about you that will be difficult to sever. Yet the danger of your position only increases our solicitude for your future action; while Georgia would not desire, much less advise your State to inaugurate any movement which unnecessarily increase your difficulties and dangers, she is nevertheless anxious that you should be permitted to act entirely free from Federal influence and Federal arms.

To this end she authorizes me to declare to you, and through you to the people of your noble State, that to the full extent of her ability she is determined to assist and support you in any action which your State may decide to adopt for the preservation of your rights and liberties. Your cause Georgia makes her cause, your quarrels her quarrels, and your dangers her dangers. The report of the first Federal gun fired upon your soil, as it falls upon the ears of our hardy sons will call to your side from their forest homes upon mountain top and low land, a body of freemen, whose valor and prowess will make them no mean match for Federal mercenaries.

The State of Georgia has taken *her* position after a full and careful consideration of all her greivances and difficulties, and with a full knowledge of the many embarrassments to be encountered in her new character, yet she is determined to take no step backward. Having dissolved the ties which bound her to the Federal Union, she casts no longing eyes towards the past. There is now no more “hankering after the flesh pots of Egypt” among her people. Having for years past interceded—nay, implored our Nothern Confederates for *simple justice*—never having at any period of our history ever asked for *special privileges* for our section; having plainly and fairly informed the Nothern States of our determination to resist, even to a disruption of the Union, all other and further encroachments upon our rights, we feel that we shall be fully justified by the enlightened public sentiment of the civilized world in the action we have taken.

We have determined to listen to no more compromises with the Nothern States. They have proved faith-

less in all their pledges heretofore given, and we can have no assurance from such a people that they would carry out any offer or settlement, which may, through their fears be now extorted from them. Georgia warns Maryland against any patched up adjustment of existing difficulties. While Maryland would feel bound in honor to abide such adjustment in good faith, if made, her Northern confederates would upon the first occasion which promised advantage to their cupidity, entirely disregard and violate their compact.

Even if the slavery question were now settled to the entire satisfaction of her people, Georgia would be unwilling again to confederate with a people whose views of the power of the Federal Government are so entirely different from her own. While a member of the late confederacy, she did not yield her sovereignty as a free and independent State, except so far as was granted by the express letter of the Constitution.

The power of the Federal Government, she has always contended was restricted, limited and confined within the letter of that instrument. In the opinion of our people, the framers of the Constitution rested its support and power upon the *consent* of the people of the different confederated States, and never contemplated the employment of *force* against a sovereign State, to coerce its submission to, or continuance in a confederation, deemed by its people oppressive and tyrannical. Our fathers had but too recently felt the necessity which forced a loyal and true people to throw off a government, which proudly claimed to be the only power on the Globe, whose citizens were secured in the enjoyment of constitutional liberty. With the experience of the then recent

past, the statesmen of 1788-9, looked with far-seeing sagacity, to the possibility of a loss of their liberties so dearly won, unless the new government about to be adopted for their protection, should be so limited and confined in its powers, and so arranged in its details as to receive its entire force, efficacy and power, from the enlightened public sentiment of the country, the full, free, and cordial assent of the governed. This has always been the view entertained at the South, in regard to the powers of the Federal Government. Indeed, one of the New England States, one which now denies the sovereignty of the several States, and is now urging the government at Washington, to use the power of the Army and Navy to reduce to subjection the seceding Southern States, on no less than two occasions in its past history, has claimed for itself the right to judge of the infractions of the Federal Constitution, and to assert its right and duty to dissolve all further connection with the Federal Union. The doctrine of State Rights and State Sovereignty, as enunciated and declared in the "*Virginia-Kentucky*" resolution of '79, we have held to be the chief safeguards of the liberties of the American people. For the first time in our national history this doctrine has been ignored and denied by a commanding majority of the States of the Union.

Our safety requires that we should look now alone to our own efforts and resources, for the protection of our liberties and property, so emphatically denied to us by our Northern associates.

Maryland, in the opinion of Georgia, cannot with safety to her citizens, continue longer in confederation with the States of the North. And while we would not

attempt to advise a people of such known intelligence and patriotism as to their duty in this trying emergency, the fraternal regard we have ever borne towards your State, and the deep solicitude which as brethren sprang from the same ancestry, with institutions so identical and interests so reciprocal, impels us to give our solemn warning of the dangers which surround you, and which threaten in our honest judgment, to destroy your domestic institutions and impede the prosperity and wealth of your noble State.

Having with the kindest feelings and purest motives done this, we are content to leave the issue with the good sense and patriotism of your people.

Very Respectfully,

Your obedient servant,

A. R. WRIGHT,

Commissioner from Georgia.

(Report of Samuel Hall, Esq., Commissioner from Georgia to North Carolina.)

OGLETHORPE, GA. 13th March, 1861.

Dear Sir:—Having been honored by the Convention of the people of Georgia with the appointment of Commissioner to North Carolina, to lay before the Convention or Legislature of that State, if either should be in session, and if not, before the Governor, the ordinance by which Georgia seceded from the late government of the United States, and to invite the co-operation of North Carolina, with her and other States that had se-

ceded or might secede, in the formation of a Southern Confederacy, I took my departure early in February last, and reached Raleigh on the eleventh of that month. On that day I waited upon his Excellency, John W. Ellis, the Governor of the State, and made known to him my appointment and the purpose of my mission. He received me with cordiality and entered into the purposes of this State with a cheerfulness and spirit which convinced me that the people of his State still held us in high regard and cherished for us sincere respect and esteem. The Legislature being in session, His Excellency promptly communicated to them my commission with the accompanying ordinance of secession. In response to this communication the "General Assembly," by a vote of both houses, appointed a joint committee to wait upon me, to tender the privilege of the floor and invite me to address that honorable body upon the subject of my mission. Every hospitality was offered and every attention was paid to your Commissioner. Individually, I appropriated none of this to myself, but received it as a mark of respect to my State.

Having accepted the invitation extended to me to address the "General Assembly," I was, on Wednesday evening, the 13th February, introduced to them by the chairman of their joint committee. Encouraged by the assurance given me in this introduction, that the Legislature and people of North Carolina admitted and "knew the wrongs of which we complained were their wrongs," "that the cause for which we were battling and preparing, if need be, to sacrifice our lives, was their cause." that they recognized us as "their kindred" and "would never turn a deaf ear to the voice that came from us." I

proceeded to deliver an address setting forth the causes which led to our separation, justifying, according to the measure of my feeble ability, the mode and measure of redress we had adopted, and vindicating the right of secession as regular, lawful and constitutional, holding that it should be therefore regarded as peaceable. Assuring North Carolina of the cordiality with which she would be welcomed to the embrace of her ancient confederate and ally, I endeavored to persuade her that she would find her true interest, prosperity and honor in uniting her destiny with the "Confederate States of America." That the effecton of the members of her Legislature and the large audience of her sons and daughters that honored me with their presence, is still warm and strong for their former sisters, whose safety and honor required them to resume the powers delegated to a government which has failed to secure the one or regard the other, I had still more flattering and encouraging proof in the indignant and universal negative response made to the question propounded, "whether they would see Federal troops march from or through their State to coerce and attempt to subjugate their Southern brethern."

In response to this address, I was charged by the General Assembly, through their accredited organ, the Hon. Henry T. Clark, Speaker of the Senate, to bear this message to the people of Georgia:

"After giving this momentous question our best and most anxious deliberation, we have referred it to the sovereign people in Convention assembled. Their judgment and decision will form the guide of our faith and the rule of our conduct, and to that tribunal alone can we look for any authorized response to the friendly coun-

sels and suggestions of our fellow suffering sister State. But without reference to the amount of our sympathy or the extent of our co-operation with her in her present struggle, we will at least assure her that no hostile foot shall ever march from or through our borders to assail her or hers."

I take the liberty of transmitting, through you, to the Convention, a copy of the remarks I had the honor to submit on the occasion.

What seemed to me the greatest obstacle to the immediate co-operation of North Carolina with the "Confederate States," was the belief entertained by the larger number of her citizens that the "Peace Conference," (so called) then in session at Washington city, would grant the demands for new guaranties in the Constitution made by Virginia and North Carolina that their recommendation would be sanctioned by the Congress of the United States, and adopted by the requisite majority of the States remaining in the old Confederacy to make it a part of the Constitution, and that upon this basis an entire reconstruction of the Union would be effected.

In combatting this view, I ventured the opinion that so far as the action of the "Peace Conference" and Congress was concerned, this confidence would be disappointed; but even if it was fully met and sustained, it would not be acceptable to the States that had seceded, that they had no objection to the old Constitution, which, when properly interpreted and fairly carried out, was adequate to secure all the objects for which it was formed; that there could be no more solemn or binding covenants than those contained in that instrument, the

fault was not in the law but in its execution. We could not expect the Northern people to observe new compacts better than they had observed the old; that they would have to be re-educated; their morals would have to be reformed, and their very natures changed before we could again give them our confidence, that so far as we were concerned the separation was "final and irrevocable," and the people of North Carolina were therefore reduced to the necessity of choosing between an alliance with the North or with the Confederate States of America. I was fully justified in my statement as to the disposition of our people to reconstruct, by the declaration made by the able Commissioner sent by the Legislature of North Carolina to the Southern Congress at Montgomery, who reported from ample means of information, contemporaneously with my arrival at Raleigh, that the persons in the Confederate States, in favor of such a measure, constituted an exceedingly meagre minority.

That I was right as to the action of Congress and the "Peace Conference," subsequent events have fully established. I have delayed this communication that I might lay before the Convention the result of the election which took place in North Carolina on the 28th ult.

The question submitted to the people by the act of the legislature was whether they would call a Convention. Those voting for a Convention were generally understood to be in favor of separate State action as a step preparatory to co-operation with their Southern sisters.

The short time that elapsed between the passage of the act and the election precluded the possibility of anything like a thorough canvass of the State; in fact, it

was only within the last ninety days that the subject began to be agitated in public meetings. The friends of separate State action were then few, but now they number nearly fifty thousand. Their defeat in the recent election by a popular majority of less than one thousand gives us no reason to feel discouraged. The election occurred on the day after the "Peace Conference" adjourned, and I am informed from sources entitled to the highest credit, that the result was brought about by dispatches sent to the central and western portions of the State announcing that the "Conference" had agreed upon a satisfactory adjustment, which would certainly be adopted by Congress. If such means were resorted to, we can only calculate with greater certainty upon the reaction which will occur in popular sentiment; indeed it is now said that the reaction has already taken place, and that the advocates of separate State action and an alliance with the South have a decided majority of the suffrages of the State. A delegate to that Conference, who, prior to its meeting, was an ardent friend of the Union, has, since his return, stated to his constituents that their propositions for amendments to the Constitution, were, five distinct times, voted down by large majorities, and that in lieu thereof (as is apparent to every one at all acquainted with the scheme proposed) that they were thereby prohibited from exercising the right they now have of going into the territories north of 36 deg. 30 min. north latitude with their slaves, while their right to emigrate with that species of property to the territories south of that line will depend upon the interpretation placed upon the common law by judges deadly hostile to their interests, insult is added to this certain exclusion by demanding the recognition by the Southern

States remaining in the old confederacy, of free blacks as citizens of the Northern States which they inhabit and by extending to them all the rights and privileges of citizens of the several States; this plan has rendered the fugitive slave law (already an insufficient protection to the rights of the South) worse than a dead letter, by guaranteeing payment to the owner of the slave out of the Federal treasury, whenever such a fugitive is withheld from the custody of his master by the action of a Northern mob or Northern State laws and tribunals; thus holding out a direct inducement to the abolitionists to free the slaves of those people and compel them to use their own means, at least in part, and in great part, too, to compensate themselves for their losses. This scheme was voted against by North Carolina, Virginia and Missouri in the conference, and the delegate above alluded to has advised his constituents that their only safety is in a Union with their Southern sisters. I believe from all that I can learn, that a very large majority of them are agreed with him as to the character of this *concession*, and that they only await an opportunity to give effect to his sound and patriotic advice. Delay in this respect must result in material injury to the State in the loss of its slaveholding population, with the property held by it, which will seek safety by emigrating to and settling in the Southern Confederate States. Under these circumstances I can not doubt that an opportunity will be afforded at an early day to the people to vote again upon the subject, and when the vote is taken, I have still less doubt of what will be the popular verdict. I therefore confidently anticipate, in a very short time, the co-operation desired and invited by Georgia, and that we shall have the happiness of welcoming with open arms and

joyful hearts, our honored and loved sister to our new and better Union.

I have the honor to subscribe my self,

Very respectfully,

Your obedient servant,

SAMUEL HALL.

TO HON. GEO. CRAWFORD,

President Convention, Georgia.

REMARKS OF SAMUEL HALL, ESQ.,

Commissioner from Georgia, before the General Assembly of North Carolina, on February 13th, 1861.

Messrs. Speakers and Gentlemen of the General Assembly: Although I can not with many of my fellow citizens greet this good old commonwealth as the land of my birth, yet with still greater numbers of them, I can claim her as the home of my ancestors, and participate with just pride in her historic fame. I may felicitate myself upon being commissioned in this second crisis of our liberties, to a people who were the first to take open and decisive ground against unconstitutional taxation—who first proclaimed the principles of American independence, and upon whose soil the arms of the soldiers of liberty were first crowned with victory. To the descendants of such men I confidently make my appeal, and in bearing to this General Assembly a message from her ancient confederate, and ally, and in asking her co-op-

eration in the important step we have taken in common with several others of our sisters, I need hardly assure her that Georgia has no disposition either to dictate or offer unsolicited advice.

These two States have been ever united by the closest ties—no rivalry in the past has sprung up between them, and their amicable relations have never been disturbed. To you we are indebted for no inconsiderable portion of a population which we flatter ourselves has not deteriorated by being transplanted, and which we can truly say is no discredit to the kindred and friends they left behind. Shoulder to shoulder Georgia and North Carolina marched through the revolution—they joined their counsels and united their wisdom in forming that compact of Government called the Constitution of the United States, and were mainly instrumental in procuring provisions in that instrument for the increase and protection of slavery. Thus connected and bound to you, Georgia would have deemed herself deficient in the courtesy she owes you not to have given you timely information that she has dissolved her connection with the Late United States of America, and resumed the powers which she had delegated to that government, and to invite you to co-operate with her and other States that have or may hereafter secede from the Union in the formation of a Southern Confederacy.

She will welcome you back to her warm embrace, and on account of the brief separation, feel only the more near when you return. She assures you that among her citizens

“There are eyes will mark your coming,
And look brighter when you come.”

She knows she can suffer no peril that does not equally assail you— that your interest is her interest— your honor is her honor—your cause is her cause, and that the same destiny, be it “gloomy or bright,” awaits us both. She therefore asks to lay before you, through her humble Representative, the causes which have impelled her to this separation, believing that they carry with them the force and dignity of truth, she indulges the hope that they will strike the great popular heart and mind of your State as they struck hers, and will result in harmonious and united action upon the part of her Southern cities. In dissolving our connection with the late government of the United States we claim not to have overthrown the work of our fathers, but that our Northern Confederates seized with unfilial hands the pillars of the Constitution and overthrew the temple of our liberties. No act of bad faith has stained our escutcheon. We have kept the covenants of our fathers, and with the blessing of a kind and favoring Providence, we will out of the same materials, reconstruct the noble old edifice. The government had scarcely been put into operation before our peculiar property was sought to be assailed in the Legislature of our General Government by a class of persons, who, however meek and gentle they may have been, and however blameless their lives in other respects, certainly contributed nothing to the establishment of the republic. This appeal was made to men fresh from the battlefields of the revolution, and well apprised of the scope and meaning of the Compromises contained in the Constitution and bond of our Union, and hence as might have been anticipated, was unsuccessful.

It was necessary to the increase of our strength and the consolidation of our power as a people, that we should acquire from France the vast territory extending from the mouth to the sources of the "Father of Waters" and in 1803 the Louisiana territory became by treaty a portion of our rich domain. In every foot of this territory the right to hold slaves existed, and this right was distinctly recognized and its protection guaranteed by an article of that treaty. That there was opposition to this measure, it would be idle to deny, and opposition, too, on account of the protection afforded to slavery:—but this opposition was confined to the people of New England, who seemed to be unmindful of the rich benefactions conferred upon all the States by Georgia, North Carolina, and Virginia, in the donations of their vast public territory to the General Government.

Again, in 1812 the commerce of the Eastern States was attacked by a foreign power, and almost driven from the ocean. We of the South had but little pecuniary interest in the contest, but it involved our honor, and against their protest we went to war with the mistress of the seas, and the laurel crowned fields of New Orleans stand today, as it will through all time, the vindication of the one, and the protection of the other. Nor did our liberality stop here. Not content with giving them a monopoly of ship-building and the coasting trade, we stimulated and encouraged their industry by bounties upon their pursuits. The war which terminated so gloriously, had crippled, and to some extent, exhausted their resources and embarrassed their manufacturing interests; again we taxed ourselves for their benefit, and sought by another generous sacrifice to augment their prosperity.

In 1820, a State formed out of the Louisiana Territory, in which our rights as slaveholders were recognized and protected by the supreme law of the land, presented a Constitution, Republican in form and asked for admission into the Union upon terms of equality with other States. How were her advances met by our Nothern confederates, by these people upon whom we had so generously lavished benefits and bounties?

Was her advent greeted with sisterly affection and a grateful sense of the favors the South had bestowed? No; she was scowled upon and her approaches repelled! We were told that her Constitution recognized slavery, and that she could not be admitted except upon conditions degrading to the equality of her Southern sisters. Borne down by superior numbers, the South was compelled to succumb, and Missouri was rejected, except upon the hard and unconstitutional restriction, that slavery or involuntary servitude, except for crime, should be prohibited in all that territory north of a certain geographical line—a restriction which alarmed the fears and filled with apprehension, “like a fire bell in the night,” the wisest and most sagacious patriots of the land. But our degradation was not complete, the cup of our humiliation had to be drained to the dregs. So opposed were these men to a recognition in any form or to any extent of our rights, that before the ink which recorded the so called compromise was scarcely dry, they violated, if they did not repudiate, their own proposition, and a second time kept this star from our federal constellation. The pretext seized upon to effect this object was most extraordinary. The constitution of that State contained a provision to prevent the introduc-

tion of a free negro element in her borders. This it was pretended was a denial of the rights of citizens of some of the States, and consequently a violation of that clause of the Constitution of the United States which provides that the "citizens of each State shall be entitled to all privileges and immunities of citizens in the several States." But as monstrous and unfounded as was this claim, it would have been successful but for the indomitable courage, matchless eloquence, and consummate statesmanship of HENRY CLAY, who resorted to the device of transferring this question from the decision of Congress, to the determination of the Presidency of the United States, and instead of coming into the Union in the ordinary manner by act of Congress, Missouri was admitted by EXECUTIVE proclamation. All this did not appease the insatiable appetite of our Northern foes. Our power had to be limited, and our influence in the Government destroyed, to enable them fully to encompass their ends. The agitation was kept up by resolutions introduced into Congress to sanction, and by artful attempts to draw from the Supreme Court of the United States an opinion approving this outrage. Our people determined to abandon this hopeless contest in Congress, and resort to their State Governments for redress. Gov. Troup, after noticing these attempts, alleged that we compromised our dignity by discussing the question, and having declared the "argument exhausted," adjured us "to stand by our arms." The Federal Executive and Congress, from past experience of his determination and spirit, knew this was no idle menace, and that they had to deal with a ruler, and people who would not readily yield a position they had deliberately taken. The check given by this stern determination was only momentary

in the life of a nation—faith was broken with one sovereign State through her treaty stipulations with the Federal Government.

An attempt was made to influence the legislation of another, and compel her submission to the most onerous impositions and burdens by federal troops. It was then discovered that the Constitution was not a compact, but formed a consolidated government, and upon this perverted view of our institutions, the liberties of this country would have perished, had not the clear discrimination, the great analytic powers and unsurpassed reasoning of JOHN C. CALHOUN been pressed into our service. With heroic courage he brested the storm and single and unaided, except by the powers of truth, of justice and of right, Constitutional freedom triumphed in his person over the combined powers of the Federal Government; the artifice, education and talent of the North—the touch of his blade, like the spear of Ithuriel, caused the fiend to tremble, and for a time allayed the demon. The cloven foot soon displayed itself. Excuses to justify outrages are never wanting, and the inventive resources of our Northern friends, when they seek to assail our rights or drain our substance, are inexhaustible. They become suddenly enamored of the right of petition—devoted to the liberty of the press and freedom of speech, and in order to test whether these justly prized rights were in danger, flooded Congress with a batch for incendiary petitions, praying the abolition of slavery in the District of Columbia, the forts, arsenals, dock yards and territories, and the interdiction of the trade of slaves between the States. The signers of these petitions—those who were prominently put for-

ward in this agitation—were without talent and destitute of influence. They were only the advance guard of the main army which was lying in ambush. They were treated with neglect if not with scorn. But John C. Calhoun again saw the elements of their power, and warned his countrymen against their insidious approaches, he clearly predicted each step that we would take in our progress to ruin; and so identical are his vaticinations with the circumstances that now surround us, that one ignorant of the facts under which these oracles were uttered, would suppose that he was recording the events of these times. He partially succeeded in his remedies by securing a rule which prohibited the reception and consideration of these petitions, and the passage of an act, making it penal to circulate through the mails such documents and prints as the laws of any of the States forbid. But in the endeavor which he made to declare the rights of the States upon the subject, and to prescribe the duties of the general government in relation thereto, he was not successful, and failing in this, these fanatics whose ardor no defeat could crush, took fresh courage—their numbers began to multiply, and their influence to strengthen with their numerical increase. Ambitious parties sought to propitiate them, and availing themselves of their position, they would by their votes cause the triumph of that faction which was most likely to increase their power. In this mode they obtained influence to remove the barrier which denied them access to the halls of Congress, and once having gotten admission there, their inflammatory doctrines found a way, at the public expense, to the popular mind through the printed proceedings of that body.

Upon the annexation of Texas they renewed the struggle, and to soothe the Northern mind we consented to apply the Missouri restriction to that territory. Then came the Mexican war, and with our victory in that war an immense accession of territory. Foreseeing the result of the struggle, while opposing the progress of our brave soldiers at each advance by withholding necessary supplies, and praying that they might "be welcomed with bloody hands to hospitable graves," they nevertheless struggled to appropriate to their exclusive use, not only the territories then held by us, but also that might fall to our share as the conquest of our arms, and the achievements of our diplomacy. Hence they succeeded in excluding slavery from Oregon, and also endeavored to make slavery exclusion from all the territories the condition of supplies for carrying on the war. The exclusion from Oregon was acquiesced in under protest, because the South believed from the geographical position of the country, and the character of the climate, there was nothing practical in the question.

This was a conciliatory but mistaken policy. It was not the policy that determined the action of our fathers under similar circumstances. The tax upon tea was not oppressive—they would have felt little inconvenience in paying it, but it was tribute exacted by a government in which they had no voice. And rather than to submit to the imputation its payment would have implied, they flew to their arms and vindicated their rights at the expense of their blood and treasure. But concessions did not satisfy their cupidity—their appetite grew on what it fed—and they pursued the same policy in reference to the remaining territory. They only failed in the ap-

plication of their means—to succeed in effecting their ends by expedients, if not so bold and offensive, almost, if not quite as effective. Through the agency of a horde attracted to the Pacific shores, from every clime and country, of every complexion and tongue, in violation of the laws of the land, they seized upon the mineral treasures of California, in assembling themselves in Convention at the invitation of a military officer, a servant of the general government, formed a Constitution by which your labor was excluded from employment in the richest mines of the earth; and as a reward for their disobedience and contempt of right, and in defiance of law, presented themselves and boldly demanded admission into the Union upon terms of equality with the other States; and but for their vowed determination to apply a like fraudulent and violent process to the remainder of the territory obtained by the treaty of Goudaloupe Hidalgo, it is to be greatly feared that the government would have complied to this demand. But the South having suffered from the active operations of “the underground railroads” in spiriting away her slaves, desired a more effectual remedy for the return of these fugitives, and in a spirit of devotion to the Union, for which she had made heavy sacrifices, not only gave up her rights in California, but also consented to the abolition of the slave traffic in the District of Columbia, and appropriated \$10,000,000 from the common treasury to purchase, for Nothern settlement, 40,000 square miles of Territory from Texas, which by the terms of the resolutions of annexation, had been solemnly devoted to our use. She got only in return a fugitive slave law, which has never been observed and enforced as it should have been, but which has been trampled under foot by North-

ern mobs, and nullified by Northern courts, executives and legislatures. Our citizens, in pursuit of their rights under that law, have been murdered in cold blood, or been subjected to degrading confinement and association in penitentiaries with the vagabonds and felons that fill those prisons. It is also said that we obtained a recognition of the doctrine of non-intervention in the territorial governments then formed. This, however, in the opinion of many of our ablest Statesmen and constitutional lawyers is doubtful.

In this compromise, the South, for the sake of peace, and in the hope of allaying agitation, again acquiesced. Georgia, with others of her Southern sisters did so reluctantly, and only upon conditions which, at the time, met the unqualified approval and warm applause of all people, both at the North and South, who now claim to be conservative. Georgia's people, in Convention assembled, resolved that they would "resist even as a last resort to the disruption of every tie that bound them to the Union" any attempt to impair or abolish the right of property in Slaves in the District of Columbia, and other places over which the federal government had exclusive jurisdiction, the rejection of any State applying for admission into the Union, because of the recognition of slavery in her constitution; any interference with the slave trade between the States, and any failure to execute faithfully the fugitive slave law; and for a time we were encouraged with the belief that these conditions would be observed.

The legislation of 1854 repudiated the Missouri restriction as incompatible with the territorial legislation of 1850, and as being in conflict with the Constitution,

and opened the territories to our admission with our property. This indicated a returning sense of justice upon the part of our Northern confederates, and was the harbinger of better times. But these hopeful signs were soon dissipated. What should have allayed only increased excitement, and the storm at the North broke forth with ten-fold fury. The pulpit thundered its anathemas—the press teemed with denunciations—the lecture and the school-room swelled with the chorus of bitter invective and hate—the vengeance of God was invoked by those who should have been the ministers of peace upon the heads of our Congressmen—while Senators had their way from Washington to their homes illuminated by the flames of their burning effigies—the votaries of every exploded political theory and every dangerous experiment in government or society, however widely they differed as to their own conflicting tenets, struck hands here and entered upon a crusade against our rights. Under the sanction of Northern legislatures Northern capital was concentrated, and the sweepings of Northern cities, aided and augmented by men of depraved morals and desperate habits, were gathered together and marched in bands to possess themselves of territory devoted to the common use and drive out our Southern settlers. They laid waste the lovely plains of Kansas, and the whole territory presented a scene of assassination, murder and pillage. No life, however blameless, no innocence however helpless, no age, however venerable—no virtue, however illustrious—availed to stay this tide of carnage and violence; and when these brutal and inhuman acts provoked a just vengeance, the whole country rang with the cry of Southern atrocity and lawlessness. An appeal was made to put down what was styled

“the barbarism of slavery,” and “the sacred animosity” of the North was thoroughly aroused. A party composed of this material assembled in Convention and adopted a platform which lowered slaveholders to a level with those sunk in the grossest vices, and addicted to the basest immoralities, and placing upon it as their standard bearer a mere political adventurer, boldly entered the contest for the possession of the government. It was only after a most unparalleled struggle that two of your most prominent and experienced statesmen were saved from a disastrous defeat, and the government rescued for a time from the fearful vortex threatening its destruction. This result did not discourage these forces—it did not even break their ranks—they returned to the charge, animated by fresh courage. They were assured of a strength of which they had not before been conscious.

An irrepressible conflict between free and slave labor was proclaimed—a law higher than the Constitution, and more sacred than the teachings of holy writ was discovered. Predatory bands were marched into peaceful communities to incite insurrection—apply the midnight torch—rob and murder—to destroy the means of subsistence—to poison the wells—to alarm our sleep—to render life a burthen by making it insecure, and when the deperadoes were arrested and punished, they were elevated to the honors of martyrdom; all restraints were cast aside, and the crucifixion of the Savior of mankind blasphemed by impiously comparing with it the execution of a cut throat and a thief. Those conspiritors who made good their escape, found asylum and protection from Northern executive, who, in violation of their oaths, refused to surrender them on demand.

Among a people not dead to all sense of virtue and decency, such a party could not prevail. But their strength lay in their vices; they assembled themselves in conclave; proclaimed the social equality of the black and white races; assumed superiority over you by putting you and your property under the ban, brought out their leader; met you face to face in battle array, and in the contest were victorious—thus sanctioning and sustaining, by both a popular and an electoral majority of the Northern vote, these enormities, with certain assurances that they would be prosecuted in the future with increased aggravation.

Are such wrongs to be endured? Our people have answered in the negative with one voice. They were all for resistance in some form. They only differed as to the mode and measure of redress, and the time of its application. A majority of them dispaired of repressing this conflict in the Union, and were therefore prepared to “repel it” out of the Union. To the minority, the voice of the State was as the voice of God; they yielded a graceful and ready obedience to the sovereign will, and gave their pledge (which I doubt not they will nobly and promptly redeem) to defend their homes, and all a free-man can hold dear with their “lives and fortunes.” In this measure we did not act hastily—our forbearance had been long—our endurance great. This warning they treated as the idle wind which they regarded not, and by their action precipitated a contingency upon the happening of which our honor pledged us to resist. But even under these circumstances we made a last appeal to them to acknowledge our rights and guarantee us the protec-

tion for which we had stipulated in the bond of our Union. This was spurned, and we had recourse to our reserved rights for our future safety and protection. In resuming these powers, while we hoped to have peace, and coveted no armed conflict with any of our late confederates, yet, if they so will it, we are prepared to meet and repel it. The mode and measure of redress adopted by us, we respectfully maintain is neither revolutionary or treasonable, but constitutional, regular, lawful—and should therefore be peaceable. We know the law abiding disposition of your people—we understand and trust—habitually cherish with you a loyal submission and dignified obedience to rightful authority—but only to rightful authority; for men who will not defend their rights and repel aggressions, will never render justice to others, or make faithful citizens themselves. Knowing this, we will briefly present the ground and reasons that sanction the remedy adopted.

Prior to the Revolution, the colonies were separate and independent communities, bound together by no political ties; as such they commenced the Revolutionary war—they declared their independence, being careful in the declaration to reserve to themselves all the rights, privileges, and powers that pertain to free and independent States. As free and independent communities they subscribed and adopted the articles of Confederation under which all their external intercourse was regulated during that period. At the close of that conflict, the Government with which we had lately been at war, by the treaty of peace recognized the freedom, independence and sovereignty of each of these States. The Congress of the Old Confederation passed a resolution requesting

the States to send delegates to Philadelphia for the "sole and express purpose of revising the articles of confederation."

They did not intend that that league should be superseded by an entirely new and different form of government, and the States acted in sending their delegates with the same purposes and views as is apparent from the tenor and effect of their commissions. In the Convention various schemes of government were proposed, prominent among these was that offered by Edmund Randolph of Virginia, which sought among other things to invest Congress with power "*negative all laws passed by the several States, contravening, in the opinion of the National Legislature, the articles of Union, or any treaty subsisting under the authority of the Union, to call forth the force of the Union against any member of the Union failing to fulfill its duties under the articles thereof.*" The unanimous rejection of this proposition establishes that the Government about to be formed was not a NATIONAL OR CONSOLIDATED GOVERNMENT—that the Legislatures of the States were not to be subject to the control of the Federal Legislature, and that no State failing in the opinion of the Congress to discharge its duty to the General Government was liable to *coercion*.

The constitution, being perfected by the Convention, was reported to the Federal Congress, to be by that body submitted to the several States for their ratification. In the letter of the President of the Convention, transmitting its labors, the government proposed to be formed is styled in one place, the "GENERAL GOVERNMENT OF THE UNION," and in another the "FEDERAL

GOVERNMENT OF THE STATES.” But, notwithstanding these careful and guarded designations of its character, emanating from one incapable of deception or falsehood, who had just successfully established a claim to the veneration and respect of the world and the gratitude of his countrymen, the fears of many of the ablest and most patriotic in the State Convention were aroused, lest the scheme might destroy the sovereignty and swallow up the rights of the States. In reply to an expression of such fears in New York Convention, Gen. Alex. Hamilton, than whom no leader of the party advocating a strong government is entitled to be held in higher esteem, for his learning and ability, candor and boldness, said: “It has been well observed, that to coerce the States is one of the maddest projects that was ever devised. A failure of compliance will never be confined to a single State. This being the case, can you suppose it wise to hazard a civil war? Suppose Massachusetts, or any large State, should refuse, and Congress should attempt to compel them, would they not have influence to procure assistance, especially from those States in the same situation as themselves? What picture does this idea present to our view? A complying State at war with a non-complying State; Congress marching the troops of one State into the bosom of another; this State collecting auxiliaries, and forming a majoritty against its federal head. Here is a nation at war with itself.

“Can any reasonable man be well-disposed towards a government that makes war and carnage the only means of supporting itself—a government that can exist only by the sword? Every such war must involve the

innocent with the guilty. This single consideration should be sufficient to dispose every peaceable citizen against such a government. But can we believe that one State will ever suffer itself to be used as a means of coercion. The thing is a dream, it is impossible." The Constitution was ratified by New York, but upon the express condition that her people reserved the right of resuming the powers delegated whenever their happiness should require it. Virginia accompanied her ratification with a similar condition; and after all the other States had ratified the constitution, Rhode Island acceded to the Union and completed the galaxy, upon the very terms on which the ratification of New York was accepted.

If the government was a consolidation, these reservations were impossible. The men who framed the constitution and put the government into operation regarded them as an indication of over-caution, because the very right reserved would necessarily result from the nature of the compact. They meant to enable these three States to retain no right or privilege which the others had not. This at once would have destroyed the equality of the States, and sapped the very foundations of the government; so that we may conclude that these conditions were accepted in good faith by each and all the States, and the rights reserved by one enured equally to each and all. But notwithstanding these indisputable facts in our history, a portion of the party in the Convention who wished a stronger government endeavored to accomplish, by indirection, what they had failed to secure by the use of open means; and soon after the government went into operation, they sought to enlarge its powers by a latitudinarian construction. They appealed to all

the departments of the government, and were successful in having their interpretation adopted by the legislative and judicial departments. The first apportionment bill which treated the population of the States as a consolidated mass fell under the Executive veto of General Washington. The next effort at coercion was made by Mr. Edmund Randolph, then Attorney-General of the United States, who selected Georgia as his victim, and sought to dwarf her sovereignty by dragging her for judgment to the footstool of the federal judiciary. She scorned the attempt—refused by any act or hers to recognize the supremacy of a jurisdiction that she had aided in creating. None could be superior to sovereign power. She put in no appearance, and was represented by no council-judgment was awarded against her, but no attempt was made to enforce it. One on that bench, like Abdriel, “stood faithful among the faithless,” rising in proud supremacy of intellect, in deep learning and comprehensive statesmanship above his compeers, James Iredell, of North Carolina, in a dissenting opinion which will live as long as the principles of rational freedom have admirers, rescued our liberties from their imminent peril. He alarmed the fears of the people, and they made haste to provide new safeguards. Thanks to him, an amendment to the constitution was adopted, which, properly understood and faithfully carried out, would have forever afterwards effectually protected the States from similar assaults upon their power and dignity. In no subsequent attempt which has been made has the General Government ever succeeded in executing process against a State where resistance has been offered. The framers of the Constitution were wise and sagacious men, and would not have omitted to provide a remedy for

the enforcement of a right clearly and "expressly delegated," or "necessary and proper" to carry it into effect. The absence of the remedy is conclusive against the existence of the right; and yet those States who have provided for their safety, and have put their household in order, are threatened with invasion! Will you submit to have Federal troops march through your State to subjugate those who are only asserting and maintaining the sacred right of self-defence? (Loud cries, Never, never.) No, never, that is the word; never will I believe until I see it—so help me God!! This

—“is no more your country; but an impious
Crew of men, conspiring to uphold their State
By worse than hostile deeds—defeating the ends
For which your country was a name so dear;”

and you are asked to contribute to the degradation and ruin of those who are bone of your bone and flesh of our flesh. You can not and you will not forget the “noble deeds of daring high” of a common ancestry, whose blood enriches and hallows every battlefield from Germantown to New Orleans. But it has been said that we should wait! Our rights will be conceded to us in the Union—we can procure further guaranties by constitutional amendment. The expectation is vain—time after time—an acknowledgement of your rights has been refused. There is no fault to be found with the old constitutional—that was amply sufficient—if faithfully observed, for every emergency! No more sacred or binding obligations can be devised than those therein contained—but the cry is still wait? Yes, wait until the torch which is applied to your dwelling shall wrap it in flames! Wait until the assassin has discharged the fatal

contents of the deadly blunderbuss now levelled at your breast—wait until life is extinct and resistance vain! While I appreciate the motives and admire the talents of those now engaged in a patriotic endeavor to reconstruct the old Government, I must be pardoned for expressing the belief that their “*Conference*” will end in nothing—the people with whom they have to deal have deceived us repeatedly. “That was their fault.” We thank God we are now free from them, and if ever “they deceive us again, it will be our fault.” Our people have no doubt, that they may grant all that is asked by the border slave States? But how will they keep their plighted faith? We can only judge of the future by the past, and our experience warns us against another connection. You will have to re-educate them, to reform their morals and change their very nature before we could give them our confidence. Our separation is final and irrevocable.

This night you have chosen between a Nothern alliance and a union with the new-born republic, THE CONFEDERATE STATES OF AMERICA. You may not come immediately, but eventually, and I trust at no distant day you will be with us. Appeals have been made to your fears—you have been urged to resist this natural and homogeneous alliance for the reason that it was the design of the Cotton States to re-open the foreign slave trade. Since 1798 the Constitution of Georgia has prohibited this traffic, not because we believed it immoral or unjust, but because we doubted its influence upon our material interests. No considerable portion of our people have ever favored the policy of reviving it, while many of them have been opposed to the federal legisla-

tion upon that subject, for the reason that they regarded it as the exercise of powers not delegated, and because of the stupidly cruel penalties inflicted upon an act not intrinsically wrong, but only rendered so by politic consideration. Desiring to assure you of our entire sincerity in relation to the matter, our Convention instructed our delegates to the Southern Congress to have this prohibition inserted in the Constitution for the new Confederacy. This, I am happy to say, as you already know, has been done. In this great movement we prefer the cordial co-operation of the border slave States to the doubtful profits of this commerce for all coming time. Go on, and continue to raise the supply of labor, and we will provide for our wants in your market. We could have influenced your action by prohibiting the introduction of your slaves into our midst. We could have increased them in your borders by this restrictive policy, until they would have become worse than valueless to you. We are unwilling to constrain the action of a free people. We were averse to inflicting loss and injury upon those who had never shown us aught but kindness. We would imply no doubt by our course, of the fidelity and patriotism of our brethren. All your material interests must be promoted by your speedy union with us in a new government. The princely treasures which have hitherto been lavished with a generous hand upon ungrateful New England, will be poured into your lap. Your unappropriated waterfalls will resound with the hum and be made glad with the songs of laborers. The music of the shuttle and the loom will cheer the spirits and augment the comfort of your increased and increasing population. The idle will

be employed, and the unproductive will become a valuable and productive citizen.

Diversity of pursuits will bring increased skill and production, and along with them greater splendor and power. Your undeveloped mineral resources will be brought to light, and your uninhabited mountain slopes filled with a hardy and industrious people, will smoke with forges and blaze with furnaces. The borders of Canada will then be more remote from you than at present, and there will be fewer facilities for the escape of your slaves. But for the unnatural opposition of those who should have been our friends, we could have obtained treaties of extradition from all the governments with whom we held intercourse. Upon the part of any foreign government the practices of the Northern people in reference to our slave property would have been causes of war, and no foreign government has ever ventured to tamper with or invade our rights.

We have only been restrained by Constitutional obligations from making speedy and effective reprisals upon those who violated the bargain and thereby released us from its obligations. Thank Heaven, we are foreigners to them now, and when you place yourselves in our situation, they will respect your rights. They have never been known to engage in war, unless it would put money in their purses, and are not going to brave its hazards to wrest from you a piece of property which they can not use to advantage, but which, under their institutions, becomes a curse and a nuisance. They can not blockade our ports and cut off our trade. We have that upon which the stability of every throne in Europe rests, and upon which their own prosperity depends.

Free trade as to the rest of the world, and restrictions upon their intercourse would soon compel them to restore and keep the peace. We then earnestly exhort you to join us in the accomplishment of the most glorious destiny that ever awaited a people. With nothing of inconvenience but temporary embarrassment, the not distant future is radiant with prosperity and renown. Glory awaits us—power and freedom are within our grasp. When we go hence our children will never reproach us—but far in the distant future the happiness will be theirs to look around upon a land smiling with plenty, and upon a people united and happy.

“Zealous, yet modest—innocent, tho’ free—
Patient of toil—serene amidst alarms—
Inflexible in faith—invincible in arms.”

*(Report of Dr. W. C. Daniell, Commissioner From
Georgia to Kentucky.)*

DECATUR, February 25th, 1861.

The Hon. G. W. Crawford, President, Etc., Bel Air.

SIR: The original Commission, duly issued by you having been miscarried, I received a duplicate on the 7th inst. In the meantime I had seen a statement that the Legislature of Kentucky, to which I was accredited, would adjourn on the 6th inst. When I received your commission the State railroad, over which I must go to Kentucky, was, owing to extreme damage caused by recent heavy rains, impassable. I left home on the 13th inst., and reached Frankfort, Kentucky, on the 15th

inst. I learned that the Legislature did not adjourn until the 11th inst. No Convention having been called, in the absence of the Legislature, I addressed myself to the Governor of Kentucky. Having given me a frank and cordial reception, he expressed much regret that I had not arrived in time to make known my mission to the Legislature, as he thought it probable that I might have prevailed to induce the convocation of a State Convention. Referring his Excellency to a recent vote in Tennessee, through which I had just passed, I suggested that perhaps much had been gained to the cause of the South by the necessary postponement of that question in his State until the meeting of the Legislature, as by that time perhaps those who had been sent to Washington by the border slave States would probably learn that the element of security, if not of peace, were to be found within and not without their own borders. The more recent action of Missouri and Arkansas has not tended to impair my confidence in this suggestion. His Excellency informed me that he would make known to the Legislature, when reassembled on the 20th of March next, my mission and its purpose. I remained in the seat of government, Frankfort, four days, during which I was admitted to free intercommunications with Gov. Magoffin, and he has placed me under acknowledgements for many courtesies and civilities during my sojourn at Frankfort.

I reached this on my return from Kentucky on the 23rd inst.

I have the honor to be, very respectfully,

Your very ob't. serv't.,

W. C. DANIELL.

*(Report of W. J. Vason, Commissioner From Georgia to
Louisiana.)*

SAVANNAH, 15th March, 1861.

Sir:—Concerning my mission as a Commissioner from the State of Georgia in Convention assembled, I have the honor to report, that starting on my mission from Milledgeville the morning after my election as a Commissioner, and travelling the most speedy and practicable route to Baton Rouge, the Capital of the State of Louisiana, I arrived in the city of New Orleans on the 29th of January, 1861. There I learned that the Convention of the State of Louisiana, which assembled in Baton Rouge on the 23d of January, after a session of four days, had adopted an Ordinance to dissolve the Union between the State of Louisiana and the other States united with her under a compact entitled “the Constitution of the United States,” and adjourned from that place to re-assemble on the 29th day of that month, in the city of New Orleans.

On that day the Convention resumed its session in that city; and I had an interview with a committee of that body, appointed to receive Commissioners from other States; at which it was arranged that I should be introduced and make known the objects of my mission to the Convention on the following day. Accordingly, the committee, the next day, personally introduced me to the Convention, and I am pleased to declare that I was received with great cordiality, and with the respect and consideration due to the State which I had the honor to represent.

After an interchange of salutations, the President of the Convention very respectfully invited me to address that body upon the objects of my mission.

That duty I performed by exhibiting my Commission, which accredited me as Commissioner from this to that Convention, and laying before that, the Ordinance of Secession adopted by this Convention. I then briefly stated what this Convention had done—invited the State of Louisiana to co-operate with her, and all the seceding States, to form a Southern Confederacy upon the principles of the Constitution of the United States, and presented such reasons to the consideration of the Convention, as appeared to me pertinent and persuasive to that end.

The address was respectfully listened to—and was received apparently favorably by the Convention.

The President of the Convention, the day after my reception handed me duly certified copies of “An Ordinance to dissolve the Union between the State of Louisiana and other States,” &c., &c., of “An Ordinance to provide for the appointment of Delegates to form a Southern Confederacy,” &c., &c., and of “a resolution in reference to the navigation of the Mississippi River,” with a request that I should present them to this Convention as evidence of the disposition and intention of the State of Louisiana to co-operate with Georgia and the other seceding States in the formation of a Southern Confederacy.

Those documents I have the honor now to present herewith to this Convention.

It is my duty, and with pleasure I discharge it, to declare to this Convention, that I found the Convention of the State of Louisiana in perfect accord in feeling and sentiment with the State of Georgia as to the objects of my mission, and that I was received and treated with the kindest and most respectful consideration by the enlightened and patriotic Convention of that noble and chivalrous State.

In conclusion I tender to this Convention my sincere thanks for the honor which it has conferred upon me, and express the hope that the manner in which I have discharged the delicate and responsible trust confided in me will meet the approbation of this Honorable Convention.

All of which is respectfully submitted by

Your obliged fellow-citizen,

WM. J. VASON.

HON. GEO. W. CRAWFORD,

President of the Convention of Georgia.

*(Report of H. P. Bell, Esq., Commissioner Georgia to
Tennessee.*

Mr. President and Gentlemen of the Convention:

I herewith report to you the result of my mission to the State of Tennessee.

In discharging the duties imposed upon me by the commission, I visited Nashville, the capital, on the 9th

of February last, having been detained a week on the way by injuries to the railroad, and found that the Legislature, which had been convened by the Executive in extra session, had adjourned on the fourth.

The Act of the Legislature, calling the Convention, provided that the question of "Convention" or "No Convention" should be submitted to the popular vote at the ballot box. The result of that vote was a majority of ten thousand against having a Convention. The only means, therefore, of official communication with the people of Tennessee left me, was with the Governor, to whom I presented the Ordinance of Secession, and the resolution inviting the co-operation of Tennessee, together with the other border Slave States, with the seceding States in the formation of a Southern Confederacy.

I was kindly received by His Excellency, Governor Harris, who deeply deplored the result of the election in Tennessee, and warmly endorsed the action of Georgia in dissolving her connection with the Federal Government. He expressed the opinion, that the withdrawal of Tennessee from the Government of the United States, and its Union with the Confederate States of America was only a question of time, and in this opinion other distinguished citizens, and among them Governor Henry S. Foote, who boldly vindicates the cause of the South, concurred. The election was not regarded as indicating anything more than the desire which was felt, and the hope that was cherished by the Union party, that the border State Convention then in session at Washington would adopt some plan of adjustment, of the pending difficulty, not only satisfactory to the border States, but to the entire South. For the opinion was entertained by

many, that the Southern States had seceded with the view of reconstructing the government, and the obtaining of the Constitutional rights and guarantees upon which they insisted, in such reconstruction. I corrected this mistake as far as circumstances enabled me to do so, and announced that the separation was final and irrevocable, and that whatever line of policy Tennessee might adopt in the future, this fact is to be regarded as settled. I announced also, that the people of Georgia was a unit in maintaining the action of this Convention in the adoption of the Ordinance of Secession. I assured those with whom I communicated that it was a great mistake to suppose that the action of Georgia was the result of a reckless popular impulse, but that it was the high resolve of patriots, determined to die freemen rather than live slaves. These assurances, together with the fact that the Southern States have repudiated the re-opening of the African slave trade, and indicated the policy of raising revenue by duties on imports, and not by direct taxation gave our friends great confidence in the success of the movement, and had a conciliatory influence upon those hostile to it.

The opinion prevailed almost universally, at the time I left Nashville, that the action of Tennessee would be determined by the action of the border State Convention, and of the Convention of Virginia. My own opinion is, that Tennessee will be governed by Virginia upon this subject, and perhaps all the border slave States, will be controlled by the same influence. Some, however, of our more sanguine friends, entertain the opinion that the next election, which will take place in August next, will settle the question in Tennessee in favor of the South.

Upon the whole, my judgment is, that when the people of that State realize fully the fact that they are reduced to the alternative of taking the chances of subjection to the domination of relentless republicanism, or the enjoyment of equality and independence with a great people with whom they are identified in interest, institutions and destiny, they will not hesitate to pursue that course, dictated alike by honor and patriotism, and determined to unite their fortunes and destiny with those of the Confederate States.

H. P. BELL.

Savannah, March 20, 1861.

CONVENTION OF THE CONFEDERATE STATES OF AMERICA.

MONTGOMERY, ALABAMA, March 12th, 1861.

HON. GEO. W. CRAWFORD,

Savannah, Ga.

Sir:—I herewith transmit to you a certified copy of the Constitution of the Confederate States of America, as it was finally adopted by the unanimous vote of the Convention, to be placed before the State Convention over which you preside, for its approval and ratification.

It will be seen that the Convention here have conformed to the general wish of the people of these States, in adopting a Constitution upon the general principles of the Constitution of the United States. The departures from the provisions of that instrument have been sug-

gested by the experience of the past, and are intended to guard against the evils and dangers which led to the dissolution of the late Union.

This Constitution is now submitted, with confidence, to the State Convention for their ratification.

Respectfully,

HOWELL COBB,

President of the Convention C. S. A.

ORDINANCES.

AN ORDINANCE

To dissolve the Union between the State of Georgia and the other States united with her under a compact of Government entitled "The Constitution of the United States of America."

We, the people of the State of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained, That the ordinance adopted by the people of the State of Georgia in Convention, on the second day of January, in the year of our Lord seventeen hundred and eighty-eight, whereby the Constitution of the United States of America was assented to, ratified and adopted; and also all Acts and parts of Acts of the General Assembly of this State ratifying and adopting amendments of the said Constitution, are hereby repealed, rescinded and abrogated.

We do further declare and ordain, That the Union now subsisting between the State of Georgia and other States under the name of the "United States of America," is hereby dissolved, and that the State of Georgia is in full possession and exercise of all those rights of sovereignty which belong and appertain to a free and independent State.

GEORGE W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed January 19, 1861.

AN ORDINANCE

To provide for the execution of sentences passed by the Courts of the United States, within the limits of the State of Georgia, and for the execution of process issued by the same Courts, and to preserve indictments.

The people of Georgia, through their delegates in Convention assembled, do hereby declare and ordain, That all persons now confined in the penitentiary of this State, under sentence upon conviction for crime by any Court of the late United States for the District of Georgia, shall continue in such imprisonment until the full execution of such sentences shall have been accomplished, in the same manner as if the ordinance of secession had not been passed.

And it is further declared and ordained by the authority aforesaid, That all persons now arrested or confined in the jails of this State, under process from the

said Courts of the late United States, shall not be released or discharged by reason of said ordinance, but shall continue under the said arrest or imprisonment until discharged by due process of law. And all persons who shall have heretofore given bail to answer any warrant or other process from said Courts, shall not be released from the obligation of such bonds, but shall be (with their sureties) bound to appear and answer to such Courts of this State as may be directed by this Convention.

And be it further declared and ordained, That all indictments heretofore found true in the said Courts, and not hitherto disposed of, shall continue in full force and virtue until heard and determined by the Courts to which jurisdiction thereof may be transferred. And all process or warrant or other criminal proceeding issuing out of or returnable to the said Courts, shall lose no virtue by reason of the said Act of secession, but shall be returnable to and executed in the name of the Court to which jurisdiction may be given by this Convention.

GEORGE W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 22d January, 1861.

AN ORDINANCE

To declare and continue in force in this State sundry laws of the late United States of America in reference to the African Slave Trade.

The people of Georgia in Convention assembled, do hereby declare and ordain, That all the laws passed by

the Congress of the late United States of America and in force in this State prior to the 19th day of January, 1861, in reference to the African Slave Trade, except the fifth section of the Act of 10th May, 1800, and also so much of the Act of 15th May, 1820, as declares the offences therein specified to be piracy, and in lieu of the penalty of death therein specified, there shall be substituted "*imprisonment in the penitentiary for a term of years not less than five nor exceeding twenty, in the discretion of the Court;*" be and the same are hereby declared to be in full force in this State: *Provided*, the same shall not be construed to extend to the importation of negro slaves from any one of the Slaveholding States of the late United States of America, or from either of the independent Republics of South Carolina, Alabama, Florida or Mississippi: *Provided further*, the slaves so introduced from the Slaveholding States of North America shall not have been imported from beyond seas into such State, since the 20th day of December, 1860.

Be it further ordained and declared, That the Governor of Georgia shall discharge all the duties required by said laws of the President of the United States, and the Attorney or Solicitor-General of the Judicial District where the case arises, shall discharge all the duties required of the District Attorney, and the Sheriff of the county all the duties required of the Marshal.

Be it further ordained, That the State of Georgia shall be substituted for the United States in every portion of

the said laws, where the substitution is required by the present independent condition of said State.

GEORGE W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed 23d January, 1861.

AN ORDINANCE

TO PROVIDE FOR THE PUBLIC DEFENCE.

Be it ordained by the people of the State of Georgia, in Convention assembled, That the Governor of this State is hereby authorized to raise and equip a regular military force, and to employ the same in such defensive service as the public security in this or neighboring States may demand.

Such regular force shall not exceed two regiments of Infantry and Light Infantry and Artillery, in such proportion as the Governor may direct.

The Governor as Commander-in-Chief, shall appoint and commission the necessary officers for these forces, selecting as far as practicable, officers of the United States Army, who may have entered the service of this State, according to their relative rank, and all such commissions may be revoked, whenever a Government shall be established by the Southern States to which Georgia shall accede. The officers and enlisted men, raised by this ordinance, shall receive the same pay and emoluments, as are provided for similar service by the laws of the United States.

And be it further ordained, That for the regulation of all military matters, not otherwise provided for by the laws of this State, the “Articles of War,” and the Army regulations, declared and established by the United States Government, as lately existing, are hereby adopted, as far as applicable to the present conditions of this State.

GEORGE W. CRAWFORD,

.President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed 25th January, 1861.

AN ORDINANCE

TO MAKE PROVISIONAL POSTAL ARRANGEMENTS IN GEORGIA.

Whereas, It is desirable that there should be no disturbance in the present postal arrangements in this and other States;

Therefore be it ordained, and it is hereby ordained and declared by the people of Georgia in Convention assembled, That the existing postal contracts and arrangements shall be allowed to continue, and the persons charged with the duties thereof, shall continue to discharge said duties until a postal treaty shall be concluded, or until otherwise directed.

Be it further ordained by the authority aforesaid, That in case the Government of the United States, or its officers or agents shall fail or refuse to execute said contracts, or carry on said arrangements, it shall be the duty of the Governor of this State to make all contracts, ap-

point all officers, and do all other things which may be necessary to keep up sufficient mail facilities to meet the wants of the people of Georgia, until otherwise ordered by the proper authorities.

GEORGE W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed 25th January, 1861.

AN ORDINANCE

IN RELATION TO THE INTER-STATE SLAVE TRADE.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by authority of the same, That all the laws relating to the Inter-State Slave Trade which were in force at the time of the passage of the Ordinance of Secession shall be deemed and held to be still in force.

GEORGE W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed 24th January, 1861.

AN ORDINANCE

To resume jurisdiction over those places within the limits of Georgia over which jurisdiction has been heretofore ceded to the late United States of America, and to provide for compensation to the said United States for the improvements erected thereon.

The people of Georgia in Convention assembled do hereby declare and ordain, That the cessions heretofore made by the General Assembly of this State, granting jurisdiction to the late United States of America, over specified portions of the Territory within the present limits of the State of Georgia, be, and the same are hereby revoked and withdrawn, and the full jurisdiction and sovereignty over the same are hereby resumed by said State.

Be it further ordained, That the buildings, machinery, fortifications, or other improvements erected on the land so heretofore ceded to the said United States, or other property found therein belonging to the United States, shall be held by this State, subject to be accounted for in any future adjustment of the claims between this State and the said United States.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 25th January, 1861.

AN ORDINANCE

In relation to Oaths heretofore required of Public Officers
Attorneys at Law.

The people of Georgia in Convention assembled, declare and ordain, That the oath heretofore required to be administered to Public Officers and Attorneys and Soli-

citors at Law, to support the Constitution of the United States, shall be hereafter discontinued.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed 25th January, 1861.

AN ORDINANCE

CONCERNING OFFICERS OF THE ARMY AND NAVY.

Whereas, Certain officers of the army and navy of the United States, citizens of the State of Georgia, impelled by patriotic motives, have already resigned their appointments and tendered their services to the State; and whereas, others may desire to make the same tender,

Be it ordained by the people of Georgia in Convention assembled, That all such officers who have resigned for the purpose aforesaid, or have made such offer, and all those on the active list who may resign and make such tender of service within such time as circumstances may admit, shall be received into the service of the State, and shall be appointed and commissioned by the Governor to the same relative rank in the army and navy of Georgia, which they held under the Government of the United States, and shall receive the same pay from their entrance into service as they were entitled to at the time of their resignations.

Provided, That the Governor of this State shall employ such officers in the service to which they may be

respectfully attached, in such manner as, in his judgment, the public exigencies may require.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed January 25th, 1861.

AN ORDINANCE

CONCERNING CITIZENSHIP.

We, the people of the State of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained,

1st. Every person who, at the date of the Ordinance, was residing in this State, and was then by birth, residence, or naturalization, a citizen of this State, shall continue a citizen of this State, unless a foreign residence shall be established by such person, with the intention of expatriation.

2nd. So also shall continue every free white person who, after the date aforesaid, may be born within the territory of this State, or may be born outside of that territory, of a father who was then a citizen of this State.

3rd. So also every person a citizen of any one of the States lately confederated under the name of the United States of America, who, within twelve months after the date of the Ordinance of Secession, shall come to reside

in this State, with the intention of remaining, upon such person's taking the oath of allegiance to this State, below provided.

4th. So also every free white person who shall be engaged in the actual service, Military or Naval, of the State, and shall take an oath of his intention to continue in such service for at least three months, unless sooner discharged honorably, and also the oath of allegiance below prescribed. In this case, the oaths shall be administered by some commissioned officer of the service in which the applicant for citizenship may be engaged, superior in rank to the applicant, and thereupon certificate of the citizenship of the applicant shall be signed by the officer and delivered to the applicant.

5th. So also, every person not a citizen of any of the States above mentioned, at the date aforesaid, and who comes to reside in this State, with the intention of remaining, and may be naturalized according to the naturalization laws of this State until they may be altered or repealed, the naturalization laws of the United States accommodated to the special condition of the State, are hereby made the laws of this State; except that instead of the oaths required by those laws in the final Act, the oath of allegiance of this State, and of abjuration below provided, shall be taken.

6th. In all cases, the citizenship of a man shall extend to his wife, present or future, whenever she shall have a residence in this State, and shall extend also to each of his children, that under the age of eighteen years, may have a residence in the State; *Provided*, that in no case, shall citizenship extend to any person, who is not a free white person.

7th. That the oath of allegiance to this State shall be in the following form, to-wit: "I do swear (or affirm) that I will be faithful, and true allegiance bear to the State of Georgia, so long as I may continue a citizen thereof."

8th. The oath of abjuration shall be in the following form, to-wit:

"I do swear, (or affirm,) that I do renounce and forever abjure all allegiance and fidelity to every Prince, Potentate, State or Sovereignty whatsoever, except the State of Georgia."

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed 26th January, 1861.

AN ORDINANCE

To adopt and continue in force the laws of the late United States, in the State of Georgia, except as therein excepted.

The people of Georgia, in Convention assembled, do declare and ordain, as follows:

SECTION 1. That such and so much of the laws of the late United States, as are not inconsistent with the Ordinance of Secession, and the other Ordinances of this Convention, and are as applicable and adapted to our present condition and necessities, be, and the same are hereby adopted and continued in force in this State;

saving and excepting, however, the laws on the subjects following, to-wit: "The army, bounty lands, cadets, census, coasting trade, treason, fisheries, lands, the navy, pensions, printing, public money, timber, treasury department, and the war department."

SEC. 2. That in all cases in which remedies are provided in civil cases, or punishments are prescribed in criminal cases, both by the laws of the said United States, and by the existing laws of this State, then, and in all such cases, the laws of this State shall take precedence to, and be administered before the said laws of the United States.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed January 26th, 1861.

AN ORDINANCE

To define and declare what shall be treason and misprision of treason in the State of Georgia; and also certain felonies.

The people of Georgia in Convention assembled, do hereby declare and ordain, That if any person or persons, owing allegiance to the State of Georgia, shall levy war against said State or shall adhere to her enemies, giving them aid and comfort within the said State or elsewhere; or shall in the name of the late United States of America, or any other foreign power, seize, or attempt to seize and hold possession against the declared will of said State, of any Fort, Arsenal, Mint, or other building within the territorial limits of said State, and shall be thereof con-

victed on confession in open court, or on the testimony of two witnesses to the same overt act of treason whereof he or they shall stand indicted, such person or persons shall be adjudged guilty of treason against the State of Georgia and shall suffer death.

A person having knowledge of the commission of any of the treasonable acts aforesaid, and conceals, or fails to disclosed the same as soon as may be, to the Governor of said State or some one of the Judges thereof, shall be guilty of misprision of treason, and on conviction, shall be punished by imprisonment and labor in the penitentiary, not less than five years, nor longer than ten years.

Any citizen of the State of Georgia, wherever resident, who shall without the permission of said State, directly or indirectly commence, or carry on any verbal or written correspondence or intercourse with any foreign Government, or any officer or agent thereof, with any intent to influence the measure or conduct of such Government adversely to the existence or interests of said State in relation to any disputes or controversies with said State, or to defeat the measures of the Government of said State; or if any such person not duly authorized, shall counsel, advise, aid or assist in any such correspondence, such citizen of Georgia shall be guilty of a felony, and on conviction, shall be punished by imprisonment in the penitentiary, not less than one, nor more than three years, and by a fine not exceeding five thousand dollars.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed 26th of January, 1861.

AN ORDINANCE

To make provisional arrangements for the continuance of commercial facilities in Georgia.

We, the people of Georgia, in Convention assembled, do declare and ordain, and it is hereby declared and ordained:

First. That all citizens of the State of Georgia, who on the 19th day of January, 1861, were holding office, or who may have resigned, and whose resignation may not have been accepted, connected with the customs under the Government of the late United States, within the limits of this State be, and they are hereby appointed to hold, under the Government of this State, exclusive of any further connection whatever with the Government of the late United States, the same offices they now fill, until otherwise directed, and to receive the same pay and emoluments for their services.

Second. That until this Convention or other Provisional Government shall otherwise provide, the Governor shall appoint to all vacancies which now exists, or may hereafter occur in such offices.

Third. That, until otherwise provided, the revenue, collection and navigation laws, of the late United States, so far as they may be applicable, be, and they are hereby adopted and made the laws of this State, saving that no duties shall be collected upon imports from the States forming the late United States, nor upon the tonnage of vessels owned in whole or in part by the citizens of the said States: *Provided*, if the said late United States

should assume an attitude of hostility towards the State of Georgia, then the Governor by his Proclamation, shall put them upon the same footing with all other foreign nations: And saving and excepting the Act of Congress, adopted the 3rd day of March, 1817, entitled "An Act authorizing the deposit of papers of foreign vessels with the Consuls of their respective nations," which Act is hereby declared to be of no force within the limits of this State.

Fourth. That all vessels built in Georgia or elsewhere, and owned to the amount of one-third, by a citizen or citizens of Georgia, or of any of the seceding States from the late United States, and commanded by a citizen thereof and no other, shall be registered as vessels of Georgia, under the authority of the Collector and Naval Officer.

Fifth. That all the official acts of the officers aforesaid in which it is usual and proper to set forth the authority under which they act, or the style of documents issued by them, or any of them, shall be in the name of the State of Georgia.

Sixth. That all monies hereafter collected by any of the officers aforesaid, shall, after deducting the sums necessary for the compensation of officers, and other expenses incident thereto, be paid into the Treasury of the State of Georgia, subject to the order of this Convention or the General Assembly.

Seventh. That the officers aforesaid, shall retain in their hands all property of the late United States in their possession, custody or control, subject to the disposal of

the proper authorities, who will account for the same upon a final settlement with the Government of the late United States.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed 28th January, 1861.

AN ORDINANCE

To abolish the Circuit and District Courts of the United States for the District of Georgia, and to establish other Courts in lieu thereof, and to continue in force certain judgments and executions.

The people of Georgia in Convention assembled, hereby declare and ordain, That the Circuit and District Courts of the late United States for the State of Georgia, be, and the same are hereby abolished as Courts of the said United States, and the District Courts of the United States for the Northern and Southern Districts of the State of Georgia, are hereby re-established as Courts of the independent State of Georgia, with the same jurisdiction and powers as they had under the laws of the United States, except so far as the same are modified by the Ordinances of this Convention.

2. The Commissions of all the Judges and officers of said Courts are hereby terminated. And the Governor of this State is hereby authorized to appoint and commission a Judge and other officers of said Courts, to hold their commissions until the further action of this Convention, the said Judge to reside in or near the City of

Savannah, in this State, and the said Judge shall receive at the rate of twenty-five hundred dollars per annum as his salary.

3. The causes, civil and criminal, now pending in the Circuit Courts of the late United States for Georgia, are hereby transferred to the District Court now hereby re-established for the Southern District of Georgia, and the said District Court shall have power to hear and determine the same.

4. The causes, civil and criminal, now pending in District Courts of the Northern and Southern Districts of Georgia, are continued without prejudice in the said Courts now hereby established, and the judgments and decrees heretofore rendered therein, and the executions issued thereon shall lose no right, lien or validity, by the operation of this Ordinance or the Ordinance of Secession, but shall continue in force as if the Courts remained in existence, and the stay law of the General Assembly of 1860, shall apply to the judgments and proceedings of said Courts.

No civil suits in favor of citizens of other States shall be instituted in said Courts until the further order of this Convention, except cases of Admiralty and Maritime Jurisdiction.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed 29th January, 1861.

AN ORDINANCE

In view of the present condition of the country, and the alleged apprehension of foreign capitalists as to the security of capital invested in this State.

Be it ordained, That to encourage the manufacturing and mining, and other permanent improvements of this State, this Convention does hereby declare it to be the fixed policy of Georgia to protect all investments already made, or which may be hereafter made by citizens of other States in mines or manufactures in this State, and capital invested in any other permanent improvement.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed January 29, 1861.

AN ORDINANCE

In addition to a previous Ordinance of this Convention on the subject of Citizenship.

Be it ordained by the people of Georgia in sovereign Convention assembled, That all white persons, resident in this State at the time of the secession of the State from the United States, with the *bona fide* intention of making it the place of their permanent abode, shall be considered as citizens of this State without reference to their place of birth; *Provided*, That any person not born in this State can except him or herself from the operation of this Ordinance by a declaration in any Court of

Record in the State, within three months from this date, that he, or she, does not wish to be considered a citizen of this State.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed March 16, 1861.

AN ORDINANCE

To transfer to the Provisional Government of the Confederate States of America the use and occupancy of the Forts, Arsenals, Navy Yards, Custom Houses, and other public sites within the limits of this State.

The people of Georgia in Convention assembled do ordain, That the Government of the Confederate States of America is hereby authorized to occupy, use, and hold possession of all the Forts, Navy Yards, Arsenals, Custom Houses and other public sites, with their appurtenances, within the limits of this State, and lately in the possession of the United States of America; and to repair, rebuild and control the same at its discretion until this ordinance be repealed by a Convention of the people of this State.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 20, 1861.

AN ORDINANCE

To transfer to the Government of the Confederate States certain arms and munitions of war, and for other purposes.

The people of Georgia in Convention assembled do ordain:

SECTION 1. That the control of all military operations in this State having reference to, or connection with, questions between this State, or any of the Confederate States of America, and powers foreign to them, is hereby transferred to the Government of the Confederate States of America.

SEC. 2. That the State of Georgia hereby transfers to the Government of the Confederate States of America, the arms and munitions of war acquired from the United States, with the Forts and Arsenals, and which are *now* in the said Forts and Arsenals.

SEC. 3. That the Governor of this State is hereby authorized to transfer to the Government of the Confederate States such arms, munitions of war, armed vessels or steamers belonging to this State, as in his judgment may be expedient, and upon such terms as may be agreed upon, with the said government of the Confederate States.

SEC. 4. The transfer herein provided for, shall be conducted on the part of this State by the Governor thereof, the Government of the Confederate States un-

dertaking to account for all such arms and munitions of war as are hereby transferred.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 20, 1861.

AN ORDINANCE

TO ORGANIZE SENATORIAL DISTRICTS.

The people of Georgia in Convention assembled do hereby declare and ordain, That the Senatorial Districts of this State shall be organized by counties as follows:

The First District shall consist of the counties of Chatham, Bryan, and Effingham.

The Second of Liberty, Tatnall and McIntosh.

The Third of Waynes, Pierce and Appling.

The Fourth of Glynn, Camden and Charlton.

The Fifth of Coffee, Ware and Clinch.

The Sixth of Echols, Lowndes and Berrien.

The Seventh of Brooks, Thomas and Colquitt.

The Eighth of Decatur, Mitchell and Miller.

The Ninth of Early, Calhoun and Baker.

The Tenth of Dougherty, Lee and Worth.

The Eleventh of Clay, Randolph and Terrell.

The Twelfth of Stewart, Webster and Quitman.

The Thirteenth of Sumter, Schley and Macon.

The Fourteenth of Dooly, Wilcox and Pulaski.

The Fifteenth of Montgomery, Telfair and Irwin.

The Sixteenth of Laurens, Johnson and Emanuel.

The Seventeenth of Bulloch, Scriven and Burke.

The Eighteenth of Richmond, Glascock and Jefferson.

The Nineteenth of Taliaferro, Warren and Greene.

The Twentieth of Baldwin, Hancock and Washington.

The Twenty-first of Twiggs, Wilkinson and Jones.

The Twenty-second of Bibb, Monroe and Pike.

The Twenty-third of Houston, Crawford and Taylor.

The Twenty-fourth of Marion, Chattahoochee and Muscogee.

The Twenty-fifth of Harris, Upson and Talbot.

The Twenty-sixth of Spalding, Butts and Fayette.

The Twenty-seventh of Newton, Walton and Clarke.

The Twenty-eighth of Jasper, Putnam and Morgan.

The Twenty-ninth of Wilkes, Lincoln and Columbia.

The Thirtieth of Oglethorpe, Madison and Elbert.

The Thirty-first of Hart, Franklin and Habersham.

The Thirty-second of White, Lumpkin and Dawson.

The Thirty-third of Hall, Banks and Jackson.

The Thirty-fourth of Gwinnett, DeKalb and Henry.

The Thirty-fifth of Clatyon, Fulton and Cobb.

The Thirty-sixth of Meriwether, Coweta and Campbell.

The Thirty-seventh of Troup, Heard and Carroll.

The Thirty-eighth of Haralson, Polk and Paulding.

The Thirty-ninth of Cherokee, Milton and Forsyth.

The Fortieth of Union, Towns and Rabun.

The Forty-first of Fannin, Gilmer and Pickens.

The Forty-second of Cass, Floyd and Chattooga.

The Forty-third of Murray, Whitfield and Gordon.

The Forty-fourth of Walker, Dade and Catoosa.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 20, 1861.

AN ORDINANCE

To define the number of men who shall compose a company in the two regular Regiments of Infantry.

Be it ordained by the people of Georgia in Convention assembled, That the number of men who shall compose a company of infantry in the said regular regiments of infantry authorized to be raised by an ordinance of this Convention, shall be the same as is provided for the volunteer force authorized to be raised by the General Assembly of this State, by an Act "to provide for the public defence, and for other purposes."

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed 23d March, 1861.

AN ORDINANCE

To authorize the Governor to pay the officers and men of the various Volunteer Companies which have been employed by him in the military defence of the State.

Be it ordained by the people of Georgia, in Convention assembled, That the Governor be, and he is hereby authorized and required to pay the officers and men of the various Volunteer Companies which have been employed by him in the military service of the State such compensation according to their respective grades, as is allowed by law to the officers and privates in the regular army of the United States.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 23rd, 1861.

AN ORDINANCE

To alter and fix the times for electing the Governor and members of the General Assembly.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same, That the next election of Governor and members of the General Assembly, shall be held on the first Wednesday in October, 1861, and that the Governor and members of the General Assembly shall be elected bien-

nially thereafter, on the first Wednesday in October, until the same shall be altered by law.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 23d, 1861.

AN ORDINANCE

To define the extent and duration of the Ordinances passed by this Convention.

The people of Georgia in Convention assembled, ordain, That all Ordinances passed by this Convention shall be subject to the modification or repeal by the General Assembly of this State, excepting the following:

- 1st. The Ordinance of Secession.
- 2d. The Ordinance of Ratification of the Constitution of the Confederate States of America.
- 3d. The Ordinances in relation to the Constitution of the State.
- 4th. All Ordinances or Resolutions referring to our relations with the Confederate States.
- 5th. All Ordinances which, by their own terms, can be changed only by a Convention of the people.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 23d, 1861.

AN ORDINANCE

To organize the Congressional Districts of this State, and for other purposes.

The people of Georgia in Convention assembled, do hereby declare and ordain, That the Congressional Districts of this State shall be arranged by counties, as follows:

The first district shall be composed of the following counties: Appling, Bryan, Bulloch, Chatham, Camden, Charlton, Clinch, Coffee, Effingham, Emanuel, Glynn, Liberty, McIntosh, Montgomery, Pierce, Scriven, Telfair, Tatnall, Ware and Wayne.

The second district shall be composed of the counties of Baker, Berrien, Brooks, Calhoun, Clay, Colquitt, Dooly, Decatur, Dougherty, Early, Echols, Irwin, Lee, Lowndes, Mitchell, Miller, Randolph, Terrell, Thomas, Wilcox and Worth.

The third district shall be composed of the counties of Chattahoochee, Harris, Muscogee, Marion, Macon, Quitman, Stewart, Sumter, Schley, Taylor, Talbot and Webster.

The fourth district shall be composed of the counties of Baldwin, Bibb, Crawford, Jones, Jasper, Houston, Laurens, Putnam, Pulaski, Twiggs and Wilkinson.

The fifth district shall be composed of the counties of Burke, Columbia, Glasscock, Hancock, Jefferson, Johnson, Lincoln, Richmond, Warren, Wilkes and Washington.

The sixth district shall be composed of the counties of Clarke, Elbert, Franklin, Greene, Hart, Madison, Morgan, Newton, Oglethorpe, Taliaferro, Walton and Wilkes.

The seventh district shall be composed of the counties of Butts, Clayton, Fayette, Henry, Meriwether, Monroe, Pike, Spalding, Troup and Upson.

The eighth district shall be composed of the counties of Campbell, Carroll, Coweta, Cobb, DeKalb, Fulton, Haralson, Heard, Paulding and Polk.

The ninth district shall be composed of the counties of Banks, Cherokee, Dawson, Forsyth, Gwinnett, Habersham, Hall, Lumpkin, Milton, Pickens, Rabun, Towns, Union and White.

The tenth district shall be composed of the counties of Cass, Catoosa, Chattooga, Dade, Fannin, Floyd, Gordon, Gilmer, Murray, Walker and Whitfield.

Be it further ordained, That the first election for members to Congress, shall be had under and by virtue of this Ordinance, and thereafter said districts to be regulated by the Legislature whenever the Congress of the Confederate States shall alter the apportionment of representation.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Passed March 23d, 1861.

AN ORDINANCE

To adopt and ratify the Constitution of the Confederate States of America.

Be it ordained by the people of Georgia in Convention assembled, and it is hereby ordained by the authority of the same, That the Constitution adopted by the Congress at Montgomery in the State of Alabama, on the eleventh day of March, in the year of our Lord one thousand eight hundred and sixty-one, for the "permanent Federal government" of the Confederate States of America, be and the same is hereby adopted and ratified by the State of Georgia, "acting in its sovereign and independent character."

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed 16th of March, 1861.

RESOLUTIONS.

Resolved, That the Governor be requested to have published in such newspapers as he may think proper, all the Ordinances of this Convention as they pass, that immediate and general notice may be given of the same, unless otherwise directed by this Convention.

GEO. W. CRAWFORD, *President.*

Attest: A. R. LAMAR, *Secretary.*

Passed January 25th, 1861.

Resolved, That the Governor be authorized to purchase or procure, for the defence of the seaboard of Georgia, three propeller or other steamers, of light draft, to be armed and manned in such manner as their tonnage and capacity may require.

Attest: A. R. LAMAR, Secretary.

Passed January 25th, 1861.

Resolved, That the Governor be requested to contract with the Cuba Telegraph Company for the construction of telegraph lines from the main line to Darien and Brunswick, and such other place on the coast as may be expedient for the use of the State.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed January 25th, 1861.

Whereas, The present attitude of the State of Georgia requires that she should be put immediately in a state of defence, and that military preparation demands prompt action and sound organization, both for efficiency and economy.

Be it resolved, That the Governor be, and he is hereby empowered to employ such a military staff as may be necessary for effecting an organization, and introducing a sound system of administrative accountability.

Be it further resolved, That these appointments shall be temporary until such time as the Southern seceding States shall establish a government, and provide a mili-

tary establishment for their common defence, and that the officers so appointed shall keep their offices at such points, and be stationed in such manner as the Governor and Commander-in-Chief may direct.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Passed January 25, 1861.

Whereas, The Government of the Confederate States has authorized bonds to be issued running from five to ten years, and secured by an export duty of one-eighth of one per cent. per pound, upon cotton, for the purpose of meeting pecuniary necessities of that Government.

And whereas, investment in such securities may be both convenient and safe for executors, administrators, guardians and other trustees, and at the same time contribute to the sum needed by the Confederate States. Therefore

Resolved, That the Legislature of this State, be and it is hereby requested at its next session, to consider the propriety of passing a law authorizing executors, administrators, guardians and other trustees, to invest trust funds in their hands, in the bonds of the Confederate States, upon the same terms that such trustees are now by law authorized to invest in the bonds of the State of Georgia.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary*.

Passed 18th of March, 1861.

The Committee on the Constitution and Laws, etc., recommend the adoption of the following resolutions:

Resolved, That in the publication of the Revised Code of the Laws of this State, adopted by the Legislature at its late session, the "United States" shall be stricken out and the "Confederate States" substituted, wherever the same may be necessary.

Resolved further, That the Constitution of the Confederate States shall be published as a part of the Code.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary.*

Adopted 18th of March, 1861.

Resolved by the people of Georgia in Convention assembled, That the Governor of this State is hereby authorized to tender to the Government of the Confederate States of America, under the provisions of an Act of Congress "to raise provisional forces for the Confederate States of America, and for other purposes," the regular forces of this State provided for by an ordinance of this Convention.

Resolved further, That the President of the Confederate States be requested to receive into the service, under the Act aforesaid, all the men now enlisted with the officers necessary to command them, by companies or battalions, and the remainder of the force as they may be received with their officers, until each of the two regiments now being raised is completed, when the whole

force with their officers shall form as regiments, a part of the said provisional army for the term of the enlistment of the war.

Resolved further, That the Governor be authorized to continue the recruiting service by the officers now required for the command of the troops proposed, until the regiments are completed, *provided* that a longer time than four months from this date be not allowed for this purpose, and *provided further*, that the Governor be authorized to disband the said regiments, if not transferred to the government of the Confederate States.

GEO. W. CRAWFORD, *President*.

Attest: A. R. LAMAR, *Secretary*.

Adopted 23d of March, 1861.

Resolved, That the delegates of this State, to the Convention at Montgomery, be authorized to consent to the continuation of the Provisional Government, until the 22d day of February, 1862, with a view to the inauguration of the Permanent Government on that day.

Resolved, That any vacancy which may occur in the said delegation by death, resignation or otherwise, may be filled by the appointment of the remaining delegates.

GEO. W. CRAWFORD,

President of the Convention.

Attest: A. R. LAMAR, *Secretary*.

Passed 23d of March, 1861.

ACTS RELATING TO PUBLIC DEFENSE.

(From State Archives.)

An Act to encourage Volunteer Artillery Companies in this State; and to appropriate money for the same.

SECTION 1. *Be it enacted, etc.,* That whenever the commanding officer of any Volunteer Artillery Company in this State, shall certify to the Governor that there are sixty (60) active members, officers and privates, upon the muster roll of such Company, (a copy of which muster roll shall accompany the certificate,) and that said company has been exercised in the field with its guns, for not less than two hours at each drill, and not less than twelve drills in each year, the Governor shall draw his warrant upon the Treasurer of the State, for the sum of two hundred dollars, to be paid into the fund of said company; *Provided, nevertheless,* that the provisions of this Act shall not extend to more than seven (7) Companies not excluding such companies as may be already organized, and who may comply with the provisions of this Act.

SEC. II. *Be it further enacted,* That the "Cherokee Artillery," a Volunteer Artillery Company in the city of Rome, be and the same is hereby incorporated, with full powers to sue and be sued, to plead and be impleaded, to pass all necessary by-laws and regulations for the government of said Corps; and that said "Cherokee Artillery," upon complying with the provisions of the first section of this Act, be entitled to all its benefits.

SEC. III. *And be it further enacted,* That the said Cherokee Artillery Company, be entitled to all the priv-

ileges extended to the Jackson Artillery, of the city of Macon, by virtue of their Act of incorporation, approved December 14th, 1859.

SEC. IV. Repeals conflicting laws.

Assented to 10th of December, 1860.

(From State Archives.)

An Act to organize the office of Adjutant and Inspector-General, of the State of Georgia.

SECTION I. *Be it enacted, etc.,* That the Commander-in-Chief, with the advice and consent of two-thirds of the Senate, shall appoint an officer to be called Adjutant and Inspector-General, with the rank of Colonel. The Adjutant and Inspector-General, shall reside and keep his office at the seat of Government. He shall obey all orders given him by the Commander-in-Chief, in relation to the duties of his office; and shall keep a fair record of orders and communications which he shall receive from time to time. He shall require annual returns from the Major and Brigadier-Generals, from which he shall make out a general return of the whole strength of the Militia and forces of the State. He shall provide accurate abstracts of annual returns for Divisions, Brigades, Regiments and Companies, both of the Militia and Volunteers; which forms, when made out, shall exhibit the strength of arms and accoutrements, equipments and munitions of such Divisions, Brigades, Regiments and Companies, and a description of the Corps composing the same; and shall transmit these abstracts for annual returns, to all officers; who are required to fill them at such times as may be designated in general orders. All mil-

itary orders and commissions, shall pass through the office of the Adjutant and Inspector-General. He shall lay before the Governor every communication he may receive on military affairs requiring Executive action. He shall attend all public reviews when the Commander-in-Chief shall review any portion of the forces or the whole of them. He shall, whenever required by the Commander-in-Chief, inspect the Arsenals and Armories of the State; which shall be under his charge, and all applications for the distribution of arms shall be made to him. He shall also act as Inspector-General of the State; and shall, whenever ordered by the Commander-in-Chief, inspect any portion of the military forces of the State.

SEC. II. *And be it further enacted*, That the Adjutant and Inspector-General, shall hold his office during good behavior, subject to removal, on the address of the Governor, by two-thirds of the Senate; and shall receive an annual salary of three thousand dollars.

Assented to December 12th, 1860.

(From State Archives.)

An Act to provide for the common defence of the State of Georgia, and to appropriate money for the same.

Whereas, The protection of the rights and the preservation of the liberties of the people of Georgia, require that the State should be placed in a posture of complete defence.

SECTION I. *Be it therefore enacted, etc.*, That the sum of one million of dollars be, and the same is hereby

appropriated, as a Military Fund for the year eighteen hundred and sixty-one; to be expended by the Governor, in such manner as he may deem best, for the purpose of placing the State in a condition of defence; unless otherwise appropriated by direct action of the General Assembly, to the purpose aforesaid.

SEC. II. *And be it further enacted, etc.,* That, should there, at any time, be a deficiency of money in the Treasury, not otherwise appropriated, necessary to meet, in whole or in part, as it may be needed, the said appropriation then, the Governor be, and he is hereby authorized and empowered to issue and negotiate bonds of the State, of five hundred dollars each, payable twenty years from date, bearing six per cent. interest, payable semi-annually, with coupons attached, in such sums as may be requisite to supply such deficiency.

Assented to November 16th, 1860.

(From State Archives.)

An Act to incorporate all Volunteer Companies of Infantry, Cavalry, or Artillery which have been, or may hereafter be organized and commissioned, to extend certain privileges to the same, and for other purposes

SECTION 1. *Be it enacted by the General Assembly of the State of Georgia,* That all Volunteer Companies of Infantry, Cavalry, or Artillery, which have been, or may hereafter be organized, with not less than thirty members, and have their officers duly commissioned, be, and the same are hereby made a body corporate and politic, under their respective names and styles, and made capa-

ble in law to sue and be sued, to plead and be impleaded, to have a common seal, to hold property, real, personal, or mixed, and to pass such by-laws, rules and regulations as may be necessary for their government, not inconsistent with the laws and Constitution of this State.

SEC. II. *Be it further enacted by the authority of the same,* That all Courts of Enquiry, and Courts Martial for Companies incorporated by the provisions of this Act shall be constituted and regulated by the laws in force relating to Volunteer Companies.

SEC. III. *Be it further enacted by the authority of the same,* That each member of any Company incorporated by the provisions of this Act, shall be exempt from Road or Militia duty, except such as may be required of them as members of their respective companies, and except in times of insurrection, invasion, rebellion, or war; *Provided,* the Commanding Officer of any company so incorporated, shall have recorded in the offices of the Clerks of the Superior and Inferior Courts, of their respective counties, a full and complete list of the members of their company, and that the above exemption shall continue no longer than actual membership.

SEC. IV. *Be it further enacted by the authority of the same,* That the Governor be, and he is hereby authorized to furnish each company incorporated by this Act, with suitable arms, munitions and equipments, the requirements of the laws regulating the same, having been first complied with.

SEC. V. This Act shall be held to be cumulative to any Act already passed, conferring privileges upon any

company now existing under the laws of this State, which may hereafter be organized.

SEC. VI. Repeals conflicting laws.

Assented to December 17th, 1860.

(From State Archives).

An Act to provide for the public defence, and for other purposes.

SECTION 1. *Be it enacted, etc.,* That the Governor and Commander-in-Chief, be, and he is hereby authorized to accept the services of any number of volunteer troops, not exceeding ten thousand, of Artillery, Cavalry and Infantry; each in such proportions as the exigencies of the service may require; each company composing the Brigade shall elect its own commissioned and non-commissioned officers, of the rank and number now provided by the military laws of this State; which troops shall be organized under the orders of the Commander-in-Chief, as hereinafter provided.

SEC. II. *Be it further enacted,* That a Brigade shall be composed of not less than two thousand men, and shall not be of greater strength than four thousand men aggregate of all arms of the service; and that a Division shall consist of not less than four thousand men, and shall not be of greater strength than eight thousand in the aggregate.

SEC. III. *Be it further enacted,* That each Regiment of Infantry shall be composed of ten Companies of not

less than fifty, or more than eighty men, to the Company, rank and file; and each Regiment shall have the following Field officers: one Colonel, one Lieutenant-Colonel and one Major; who shall be elected by the commissioned officers of the Companies of the Regiment.

SEC. IV. *Be it further enacted*, That in case in the opinion of the Commander-in-Chief, it becomes necessary to accept the services of a Battalion, or less body of Infantry than a Regiment, such Battalion, shall, if consisting of five companies or more, be commanded by a Lieutenant-Colonel; and if consisting of less than five Companies and more than one such Battalion, shall be commanded by a Major: which Lieutenant Colonel, or Major, shall be elected by the commissioned officers of the Companies of the Battalion.

SEC. V. *Be it further enacted*, That each Company of Cavalry shall consist of not less than thirty-five men, rank and file, nor of more than sixty men; and that the Cavalry shall be organized into Regiments or Battalions, in like manner as provided for the Infantry in sections third and fourth of this Act; which Regiments or Battalions, shall have the same Field officers as therein provided; and who shall be elected likewise by the commissioned officers of the companies composing the Regiment or Battalion.

SEC. VI. *Be it further enacted*, That each Company of Artillery shall consist of not less than sixty-four, nor more than eighty men; and in case four or more Companies of Artillery with batteries, shall be called into service, there shall be one Colonel of Artillery, who shall be attached to the staff of the Senior General Officer com-

manding the troops, and who shall, under his direction, exercise general supervision over the Artillery, in service; and who shall be elected by the commissioned officers of the Artillery.

SEC. VII. *Be it further enacted*, That the general officers necessary for carrying into effect the provisions of this Act, not to exceed two Major Generals and four Brigadier Generals, shall, as they are called into the service, be appointed by the Commander-in-Chief, by and with the advice and consent of two-thirds of the Senate; and the said general officers shall have authority to appoint their own staff, as is now provided for the staff of general officers of Militia. Should the exigencies of the service at first require a force of troops greater than a Regiment, the Commander-in-Chief shall be authorized to appoint a Brigadier General to command such first Requisition, although the numerical strength may not be equal to the number prescribed for a Brigade in section second of this Act; which Brigadier General shall be appointed as hereinbefore provided.

SEC. VIII. *Be it further enacted*, That all troops when in the service of the State of Georgia, shall be uniformed and equipped in a manner prescribed by the Adjutant and Inspector General of Georgia, under the direction of the Commander-in-Chief; and shall be disciplined according to the statutes of Georgia, now in force and hereafter to be enacted, and the custom of Military service.

SEC. IX. *And be it further enacted*, That all Acts and parts of Acts, which are inconsistent with the execu-

tion of the provisions of this Act, shall be, and the same are hereby repealed.

Assented to 18th December, 1860.

(From State Archives.)

An Act to authorize the Governor to furnish arms to organized Volunteer Companies not uniformed.

SECTION 1. *Be it enacted, etc.*, That the Governor is hereby authorized to furnish Arms to Volunteer Companies which are not uniformed; *Provided* they comply, in all other particulars, with the requirements of the law regulating the distribution of arms.

Assented to December 18, 1860.

APPENDIX NO. 2.

GEORGIA IN THE CONFEDERACY.

On the 4th day of February, 1861, a convention of delegates from the six States which had already withdrawn from the Union met in the Capitol of Alabama, in the City of Montgomery, for the purpose of forming a Southern Confederacy. The six States represented in this convention were South Carolina, Georgia, Alabama, Mississippi, Louisiana and Florida. The delegates from Texas were not present when the Constitution was adopted, but arrived a few days thereafter and were permitted to sign the instrument. The delegates sent up from these States were, as a rule, men of the highest standing for intelligence, integrity and statesmanship. The delegates from Georgia were Howell Cobb, Robert Toombs, Alexander H. Stephens, Francis S. Bartow, Martin J. Crawford, Eugenius A. Nisbet, Benjamin H. Hill, Augustus R. Wright, Thomas R. R. Cobb and Augustus H. Kenan.

In the organization of the convention Howell Cobb, of Georgia, recognized as one of the ablest men in the old Union, was elected President. For many years he had served his State in the Federal House of Representatives, and had been Speaker of that body. He had also served as Governor of his State, and was Secretary of the United States Treasury when Georgia withdrew from the Union.

The first act of the convention was to organize a Provisional Government for the Confederacy. Jefferson Davis, of Mississippi, was elected Provisional President, and Alexander H. Stephens, of Georgia, Provisional Vice-President.

On the 11th of February the Constitution of the Confederate States of America was adopted. It was almost an exact copy of the Constitution of the United States, with only such changes as an experience of seventy years had demonstrated would improve it. One of the most important changes was that the term of the President was made six years instead of four, and he was ineligible to a second term. Members of the Cabinet were given the privilege of occupying seats and speaking in the two Houses of Congress, as in the British Parliament. Congress could, under this Constitution, levy taxes only for the purpose of raising revenue for the support of the Government and its institutions, and not for the purpose of protection. These were the three most important changes.

In the organization of a permanent Government under this Constitution Jefferson Davis was elected President, and Alexander H. Stephens was elected Vice-President. A Senate and House of Representatives was provided, as under the Constitution of the United States. The Representatives from Georgia in the

FIRST CONFEDERATE CONGRESS

were, from the

First District—Julian Hartridge.

Second District—C. J. Munnerlyn.

Third District—Hines Holt.

Fourth District—A. H. Kenan.

Fifth District—David W. Lewis.

Sixth District—W. W. Clarke.

Seventh District—R. P. Tripp.

Eighth District—L. J. Gartrell.

Ninth District—Hardy Strickland.

Tenth District—Augustus R. Wright.

These Representatives were elected and served for a term of two years.

In October, 1863, a new Congress was elected, and the Representatives from Georgia in this, the

SECOND CONFEDERATE CONGRESS,

were as follows: From the

First District—Julian Hartridge.

Second District—W. E. Smith.

Third District—M. H. Blanford.

Fourth District—Clifford Anderson.

Fifth District—J. T. Shumake.

Sixth District—J. H. Echols.

Seventh District—James M. Smith.

Eighth District—George N. Lester.

Ninth District—H. P. Bell.

Tenth District—Warren Akin.

On the 19th of November, 1861, the Legislature of

Georgia elected to represent the State in the Confederate Senate Benjamin H. Hill and Robert Toombs.

Toombs declined to accept the position, and on the 4th of March, 1862, Governor Brown appointed Dr. John W. Lewis, who served as Senator until the 18th of November, 1862, when Herschel V. Johnson was elected by the Legislature to fill out Toombs' unexpired term, and on the 25th of November, 1863, Johnson was again elected Senator for a full term of six years.

Many of the Georgians who participated in the organization of the Confederate Government entered the Confederate army when hostilities began. Howell Cobb became a Major-General. Robert Toombs and Thomas R. R. Cobb became Brigadier-Generals. Thomas R. R. Cobb was killed in the hour of victory in the battle of Fredericksburg, Va. Francis S. Bartow fell at the head of his regiment at Manassas, in the first great battle of the war.

Of Georgia's Representatives in the two Confederate Congresses all, or nearly all, who were not too old, entered the Confederate army. Lucius J. Gartrell, who represented the eighth district in the first Congress, rose to the rank of Brigadier-General, and was wounded in battle. W. E. Smith was a gallant officer and lost a leg in battle. M. H. Blanford lost an arm in battle. James M. Smith, afterwards Governor of the State, rose to the rank of Colonel and was a distinguished soldier. George N. Lester lost an arm leading his command at the battle of Perryville, Ky., in 1862. H. P. Bell was Colonel of the 43d Georgia Volunteer Infantry and was severely wounded at Chickasaw Bayou, Miss.

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